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OFFICE OF THE SOLICITOR.

GEO. P. McCABE, SOLICITOR.

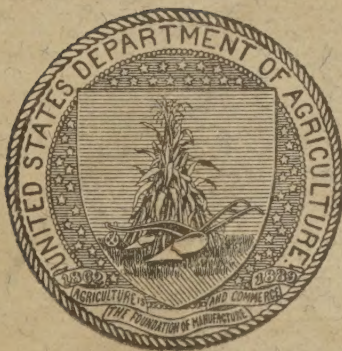
LAWS APPLICABLE
TO THE UNITED STATES
DEPARTMENT OF AGRICULTURE.

Compiled by

OTIS H. GATES,

UNDER THE DIRECTION OF THE SOLICITOR.

REVISED, 1912



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U. S. DEPARTMENT OF AGRICULTURE,
OFFICE OF THE SOLICITOR.

GEO. P. McCABE, SOLICITOR.

JUN - 1913
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LETTER OF TRANSMITTAL.

U. S. DEPARTMENT OF AGRICULTURE,
OFFICE OF THE SOLICITOR,
Washington, D. C., December 7, 1912.

SIR: I have the honor to transmit herewith a digest of the laws applicable to the Department of Agriculture, which has been compiled under my direction by Mr. Otis H. Gates, of this office.

I recommend the publication of this compilation for the use of the officers and employees of the department.

Respectfully,

GEO. P. McCABE,
Solicitor.

Hon. JAMES WILSON,
Secretary of Agriculture.

PREFACE.

The first edition of this work, published in 1908, supplied a need for a convenient compend of the law affecting the Department of Agriculture. Until its publication the laws applicable to this department had not been brought together. To ascertain the law on any subject affecting the department necessitated a search through the Revised Statutes, the Supplements thereto, and the Statutes at Large. The former edition of this work embraced all legislation in effect on July 1, 1907, or to and including the Fifty-ninth Congress. That edition is now obsolete in many respects by reason of subsequent enactments by Congress, including new legislation or provisions repealing or superseding earlier provisions.

The present compilation collects and presents all laws affecting the Department of Agriculture, permanent or not clearly temporary in their nature, in force on August 27, 1912, including the enactments of the second session of the Sixty-second Congress. The work represents the results of a careful and painstaking examination of the Revised Statutes, the Supplements thereto, and the Statutes at Large. Provisions in various acts and riders in agricultural and other appropriation acts have been extracted and preserved. The work embraces not only provisions of law relating specifically to the Department of Agriculture and its various branches, officers, etc., but also all provisions relating to the public service in general and incidentally affecting, or applicable to, the Department of Agriculture. It was deemed convenient to classify the subject matter on this general basis, notwithstanding the fact that many sections of the work relating to the public service in general, and affecting the Department of Agriculture incidentally, treat of the same subject matter as sections of the work relating specifically to the department. The provisions of law are arranged according to subject matter under appropriate general headings. The classification of the subject matter, owing to its heterogeneous character, is necessarily arbitrary in many instances. Provisions related in subject matter have been placed in juxtaposition without regard to time or order of enactment. Acts and parts of acts deemed inapplicable to the Department of Agriculture, or which have expired or have been repealed, or for which substitutes in express terms are provided, are omitted,

and matter directed by amendatory acts to be added, inserted, or substituted is incorporated and accompanied by explanatory notes.

The purpose of the present work is to present the text of the law as it now exists. No change in the language has been made without express and statutory authority. In cases where doubt exists whether acts or portions of acts and sections of the Revised Statutes are superseded by subsequent provisions both the earlier and later provisions are set forth with explanatory notes. In some instances it was deemed necessary to include portions of the context not in themselves applicable to the department, but necessary to complete the sense or indicate the intent or purpose of the portions directly pertinent. In many acts and portions of acts and many sections of the Revised Statutes incorporated in the work, parts thereof are omitted as inapplicable to the Department of Agriculture, and such omissions are indicated by the insertion of asterisks. Where entire acts are incorporated they are set forth, as far as consistent with the logical arrangement of the work, as entities; but where they treat of more than one subject they are divided and the different sections or provisions are set forth in parts of the work where they respectively fall. Separate provisions relating to similar matters are correlated by reciprocal notes. Many incidental matters which may aid in construction are explained by notes.

Acts or portions of acts are preceded by citation of the date of the act, the chapter, and the page of the Statutes at Large on which the act begins. Where entire acts or the first portion of acts are set forth, the legal title of the act is given. At the close of each section of the work taken from the Statutes at Large is a note in small type citing the date of the act, and the chapter, section, and particular page of the Statutes at Large on which it occurs. Sections of the work taken from the Revised Statutes are preceded by the citation of the corresponding section of the same. Sections, paragraphs, or provisions of the Statutes at Large and sections or portions of sections of the Revised Statutes are preceded by headings indicating their import.

The insertion of the copious explanatory notes and the very complete index, it is believed, will add to the convenience and value of the work.

It was deemed advisable to insert, in the appropriate parts of the work, the text of the agricultural appropriation act for the fiscal year ending June 30, 1913, though its provisions are in general temporary in nature.

A list of the citations to the annual agricultural appropriation acts of the Department of Agriculture has been appended.

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PROVISIONS RELATING TO THE DEPARTMENT
OF AGRICULTURE.

PROVISIONS RELATING TO THE DEPARTMENT OF AGRICULTURE.

ESTABLISHMENT AND ORGANIZATION OF THE DEPARTMENT— THE SECRETARY AND OTHER OFFICERS—MISCELLANEOUS PRO- VISIONS.

REV. ST. SEC. 520.

Establishment of the Department of Agriculture.

SEC. 520. There shall be at the seat of Government a Department of Agriculture, the general design and duties of which shall be to acquire and to diffuse among the people of the United States useful information on subjects connected with agriculture, in the most general and comprehensive sense of that word, and to procure, propagate, and distribute among the people new and valuable seeds and plants.

REV. ST. SEC. 521.

Commissioner of Agriculture.

SEC. 521. The Department of Agriculture shall be under the charge of a Commissioner of Agriculture, who shall be appointed by the President, by and with the advice and consent of the Senate, and shall be entitled to a salary of four thousand dollars a year.

This section is superseded by provisions of act February 9, 1889, c. 122, set forth below.

Rev. St. sec. 524 requiring that the Commissioner shall give a bond before entering upon his duties is also superseded by said act February 9, 1889.

ACT FEBRUARY 9, 1889, c. 122. An act to enlarge the powers and duties of the Department of Agriculture and to create an Executive Department to be known as the Department of Agriculture. (25 Stat. 659.)

Executive Department under Secretary of Agriculture.

That the Department of Agriculture, shall be an Executive Department, under the supervision and control of a Secretary of Agriculture, who shall be appointed by the President, by and with the advice and consent of the Senate; and section one hundred and fifty-eight of the Revised Statutes is hereby amended to include such Department, and the provisions of title four of the Revised Statutes, including all amendments thereto, are hereby made applicable to said Department.

Act February 9, 1889, c. 122, s. 1, 25 Stat. 659.

Rev. St. sec. 158, mentioned and amended by this section, is set forth below.

Assistant Secretary of Agriculture; appointment and duties.

SEC. 2. That there shall be in said Department an Assistant Secretary of Agriculture, to be appointed by the President, by and with the advice and consent of the Senate, who shall perform such duties as may be required by law or prescribed by the Secretary.

Act February 9, 1889, c. 122, s. 2, 25 Stat. 659.

A provision of act March 4, 1907, c. 2907, authorizing the Assistant Secretary to perform such duties as may be assigned by the Secretary, is set forth below.

Rev. St. sec. 177, set forth on p. 275, *post*, provides that, in case of the death, resignation, absence, or sickness of the head of a department, the duties of the office shall be performed, temporarily, by the assistant.

Salaries of the Secretary and the Assistant Secretary.

SEC. 3. That the Secretary of Agriculture shall receive the same salary as is paid to the Secretary of each of the Executive Departments, and the salary of the Assistant Secretary of Agriculture shall be the same as that now paid to the First Assistant Secretary of the Department of the Interior.

Act February 9, 1889, c. 122, s. 3, 25 Stat. 659.

Each head of a department is entitled to a salary of \$8,000 a year by Rev. St. sec. 160 and act January 20, 1874, c. 11, 18 Stat. 4. The sum appropriated for compensation of the First Assistant Secretary of the Interior for the fiscal year in which this act was passed, by act July 11, 1888, c. 615, s. 1, 25 Stat. 284, was \$4,500. The sum of \$8,000 for the salary of the Secretary of Agriculture and the sum of \$4,500 for the salary of the Assistant Secretary of Agriculture were appropriated annually in the agricultural appropriation acts for the fiscal years 1890 and thereafter to and including 1907. The compensation of the heads of executive departments was increased to \$12,000 per annum by act February 26, 1907, c. 1635, s. 4, set forth on p. 283, *post*, and that sum for the salary of the Secretary of Agriculture, and the sum of \$5,000 for the salary of the Assistant Secretary of Agriculture, are appropriated in the agricultural appropriation acts for the fiscal years 1908 and thereafter. The provisions of the act for the fiscal year 1913 are set forth below.

Laws of the department continued in force.

SEC. 4. That all laws and parts of laws relating to the Department of Agriculture now in existence, as far as the same are applicable and not in conflict with this act, and only so far, are continued in full force and effect.

Act February 9, 1889, c. 122, s. 4, 25 Stat. 659.

REV. ST. SEC. 158.

Application of provisions of Title Four of Revised Statutes to Executive Departments.

SEC. 158. The provisions of this Title shall apply to the following Executive Departments:

First. The Department of State.

Second. The Department of War.

Third. The Department of the Treasury.

Fourth. The Department of Justice.

Fifth. The Post-Office Department.

Sixth. The Department of the Navy.

Seventh. The Department of the Interior.

This section is amended to include the Department of Agriculture by act February 9, 1889, c. 122, s. 1, set forth above.

REV. ST. SEC. 159.

Word "Department."

SEC. 159. The word "Department" when used alone in this Title, and Titles five, six, seven, eight, nine, ten, and eleven, means one of the Executive Departments enumerated in the preceding section.

The Department of Agriculture is included in this definition by act February 9, 1889, c. 122, s. 1, set forth above.

ACT JULY 14, 1890, c. 707. (26 Stat. 282.)

Secretary of Agriculture to perform duties of former Commissioner of Agriculture.

The authority granted to the Commissioner of Agriculture by the act of May twenty-ninth, eighteen hundred and eighty-four, establishing the Bureau of Animal Industry, and by the provisions of the appropriation act for the Agriculture Department, approved July eighteenth, eighteen hundred and eighty-eight, relating to said Bureau, is hereby vested in the Secretary of Agriculture; and the said Secretary is hereby authorized and directed to perform all the duties named in said acts and all other acts of Congress in force on February eighth, eighteen hundred and eighty-nine, to be performed by the Commissioner of Agriculture.

Act July 14, 1890, c. 707, 26 Stat. 288.

Act May 29, 1884, c. 23, mentioned in this paragraph, is set forth on p. 41, *post*, under "Bureau of Animal Industry."

The authority granted by the agricultural appropriation act of July 18, 1888, referred to in this paragraph, is limited to the use of the sum therein appropriated for carrying out the provisions of act May 29, 1884. Appropriations in substantially similar terms are made in subsequent agricultural appropriation acts.

ACT MARCH 4, 1907, c. 2907. (34 Stat. 1256.)

Duties of the Assistant Secretary of Agriculture.

* * * the Assistant Secretary is hereby authorized to perform such duties in the conduct of the business of the Department of Agriculture as may be assigned by the Secretary of Agriculture; * * *

Act March 4, 1907, c. 2907, 34 Stat. 1256.

This is a provision of the agricultural appropriation act for the fiscal year 1908, cited above. A provision in the same words is contained in the similar act for the preceding fiscal year.

A previous provision requiring that the Assistant Secretary shall perform such duties as may be required by law or prescribed by the Secretary is contained in act February 9, 1889, c. 122, s. 2, set forth above.

ACT JUNE 3, 1902, c. 985. (32 Stat. 286.)

Establishment of Bureau of Soils, Bureau of Forestry, Bureau of Chemistry, and Bureau of Plant Industry.

* * * That all existing statutes relating to the Division of Soils, reorganized into the Bureau of Soils; the Division of Forestry, reorganized into the Bureau of Forestry; the Division of Chemistry, reorganized into the Bureau of Chemistry; and the Division of Botany, the Division of Pomology, the Division of Vegetable Physiology and Pathology, the Division of Agrostology and Experimental Gardens and Grounds, reorganized into the Bureau of Plant Industry, not otherwise repealed, shall remain in effect as applying to

the respective bureaus into which the divisions named have been reorganized: * * *

Act June 3, 1902, c. 985, 32 Stat. 303.

This is a proviso annexed to the agricultural appropriation act for the fiscal year 1903, cited above.

The Weather Service is transferred from the War Department to the Department of Agriculture by act October 1, 1890, c. 1266, set forth on p. 33, *post*, under "Weather Bureau."

The execution of all laws affecting public lands reserved as forest reserves, excepting such laws as affect the surveying, etc., entering, etc., or patenting of any such lands, is placed under the Secretary of Agriculture by act February 1, 1905, c. 288, s. 1, set forth on p. 86, *post*, under "Forest Service."

Appropriations in agricultural appropriation acts for fiscal years previous to 1906, made under "Division of Entomology" and under "Division of Biological Survey," were thereafter made under "Bureau of Entomology" and "Bureau of Biological Survey," and appropriations in the similar acts for fiscal years previous to 1903, made under "Division of Statistics," were thereafter made under "Bureau of Statistics."

Appropriations made under "Bureau of Forestry," in the agricultural appropriation acts for the fiscal years 1902 to and including 1905, were thereafter made under "Forest Service."

ACT MAY 26, 1910, c. 256. (36 Stat. 416.)

Legal work of the Department of Agriculture under the Solicitor.

* * * hereafter the legal work of the Department of Agriculture shall be performed under the supervision and direction of the solicitor; * * *

Act May 26, 1910, c. 256, 36 Stat. 416.

This is a provision accompanying an appropriation for salary of the Solicitor in the agricultural appropriation act for the fiscal year 1911, cited above.

ACT MARCH 4, 1911, c. 238. (36 Stat. 1235.)

Details of law clerks.

* * * That hereafter the law clerks may be detailed by the Secretary of Agriculture for service in or out of Washington; * * *

Act March 4, 1911, c. 238, 36 Stat. 1236.

This is a proviso annexed to appropriations for law clerks in the agricultural appropriation act for the fiscal year 1912, cited above. A proviso in the same words, except the word "hereafter," was contained in the similar act for the preceding fiscal year.

REV. ST. SEC. 523.

Appointment of chief clerk and other officers and employees.

SEC. 523. The Commissioner of Agriculture shall appoint a chief clerk, with a salary of two thousand dollars a year, who in all cases during the necessary absence of the Commissioner, or when the office of Commissioner shall become vacant, shall perform the duties of Commissioner, and he shall appoint such other employés as Congress may from time to time provide, with salaries corresponding to the salaries of similar officers in other Departments of the Government; and he shall, as Congress may from time to time provide, employ others persons, for such time as their services may be needed, including chemists, botanists, entomologists, and other persons skilled in the natural sciences pertaining to agriculture.

Rev. St. sec. 522, here omitted as superseded, provides: "There shall be in the Department of Agriculture: One chief clerk, at a salary of \$2,000 a year." Appropriations for a chief clerk at this compensation were made in the agricultural appropriation acts to and including the fiscal year 1884. The salary of the chief clerk appropriated in the similar acts for the fiscal years 1885 and thereafter to and including 1908 was \$2,500. In the acts for the fiscal years 1909 to 1912, inclusive, the appropriation for the salary of the chief clerk is \$2,500 and \$500 additional as custodian of buildings, and the appropriation in the act for the fiscal year 1913, set forth on p. 30, *post*, for the salary of the chief clerk, is \$3,000 and \$500 additional as custodian of buildings.

The provision of this section that, in case of absence or vacancy in the office of the Commissioner, the chief clerk shall perform the duties of the office, is superseded by the change of the department into an executive department under a Secretary of Agriculture, with an Assistant Secretary, by act February 9, 1889, c. 122, set forth on p. 9, *ante*, and the provisions of Rev. St. sec. 177, set forth on p. 275, *post*, that in case of death, resignation, absence, or sickness of the head of a department, the duties of the office may be performed temporarily by the assistant.

Rev. St. sec. 524, requiring that the chief clerk shall give a bond before entering upon his duties, is superseded by the change of the Department of Agriculture into an executive department under a Secretary of Agriculture, with an Assistant Secretary, by act February 9, 1889, c. 122, set forth on p. 9, *ante*.

ACT APRIL 23, 1904, c. 1486. (33 Stat. 276.)

Chief clerk of the Department of Agriculture superintendent of buildings.

* * * chief clerk, who shall be superintendent of the Department buildings, * * *

Act April 23, 1904, c. 1486, 33 Stat. 276.

This is a provision, accompanying an appropriation for the salary of the chief clerk, in the agricultural appropriation act for the fiscal year 1905, cited above. Previous provisions in the same words accompany similar appropriations in the agricultural appropriation acts for the fiscal years 1883 and thereafter. The provision was discontinued in the act for the fiscal year 1906, but in the acts for the fiscal years 1909 and thereafter the provision "and five hundred dollars additional as custodian of buildings," accompanies the appropriations otherwise made for the salary of the chief clerk.

ACT AUGUST 8, 1894, c. 238. (28 Stat. 264.)

Official seal of the Department of Agriculture.

The Secretary of Agriculture is hereby authorized and directed to procure a proper seal, with such suitable inscriptions and devices as he may approve, to be known as the official seal of the Department of Agriculture, and to be kept and used to verify official documents, under such rules and regulations as he may prescribe.

Act August 8, 1894, c. 238, 28 Stat. 272.

This is a paragraph of the agricultural appropriation act for the fiscal year 1895, cited above.

REV. ST. SEC. 525.

Custody of property, records, etc., of department.

SEC. 525. The Commissioner of Agriculture shall have charge, in the building and premises appropriated to the Department, of the library, furniture, fixtures, records, and other property appertaining to it, or hereafter acquired for use in its business.

The designation of the Commissioner is changed to Secretary of Agriculture by act February 1, 1889, c. 122, set forth on p. 9, *ante*.

REV. ST. SEC. 526.**Duties of the Commissioner [Secretary].**

SEC. 526. The Commissioner of Agriculture shall procure and preserve all information concerning agriculture which he can obtain by means of books and correspondence, and by practical and scientific experiments, accurate records of which experiments shall be kept in his Office, by the collection of statistics, and by any other appropriate means within his power; he shall collect new and valuable seeds and plants; shall test, by cultivation, the value of such of them as may require such tests; shall propagate such as may be worthy of propagation; and shall distribute them among agriculturists.

See note under Rev. St. sec. 525, above, as to change of designation of Commissioner to Secretary of Agriculture.

ACT AUGUST 2, 1886, c. 840. (24 Stat. 209.)

Commissioner [Secretary] of Agriculture a member of board of appeals from decisions as to substances in imitation of butter.

The Commissioner [of Internal Revenue] may also decide whether any substance made in imitation or semblance of butter, and intended for human consumption, contains ingredients deleterious to the public health; but in case of doubt or contest his decisions in this class of cases may be appealed from to a board hereby constituted for the purpose, and composed of the Surgeon-General of the Army, the Surgeon-General of the Navy, and the Commissioner of Agriculture; and the decisions of this board shall be final in the premises.

Act August 2, 1886, c. 840, s. 14, 24 Stat. 212.

ACT JUNE 6, 1896, c. 337. (29 Stat. 253.)

Secretary of Agriculture a member of board of appeals from decisions as to ingredients of filled cheese.

SEC. 15. That the Commissioner of Internal Revenue is authorized to have applied scientific tests, and to decide whether any substances used in the manufacture of filled cheese contain ingredients deleterious to health. But in case of doubt or contest his decision in this class of cases may be appealed from to a board hereby constituted for the purpose, and composed of the Surgeon-General of the Army, the Surgeon-General of the Navy, and the Secretary of Agriculture, and the decision of this board shall be final in the premises.

Act June 6, 1896, c. 337, s. 15, 29 Stat. 256.

This is a section of "An act defining cheese, and also imposing a tax upon and regulating the manufacture, sale, importation, and exportation of 'filled cheese,'" cited above.

ACT AUGUST 10, 1912, c. 284. (37 Stat. 269.)

Secretary authorized to investigate cost of food supplies.

And the Secretary of Agriculture is hereby authorized to continue investigations on the cost of food supplies at the farm and to the consumer, and to disseminate the results of such investigations in whatever manner he may deem best.

Act August 10, 1912, c. 284, 37 Stat. 300.

This is a provision of the agricultural appropriation act for the fiscal year 1913, cited above.

A provision authorizing the Secretary of Agriculture to make such investigations and disseminate the results was contained in the similar appropriation act for the fiscal year 1911, and provisions for the continuance of the work, in the same words as in the provision above set forth, were also contained in the similar act for the fiscal year 1912.

ACT AUGUST 24, 1912, c. 389. (37 Stat. 539.)

Appropriation, to be expended by Secretary of Agriculture in cooperation with Postmaster General, for improvement of roads for ascertaining benefits to Rural Delivery Service and transportation of products; report and recommendations to Congress.

* * * That there is hereby appropriated the sum of five hundred thousand dollars, out of any money in the Treasury not otherwise appropriated, to be expended by the Secretary of Agriculture in cooperation with the Postmaster General in improving the conditions of roads to be selected by them over which rural delivery is or may hereafter be established, such improvement to be for the purpose of ascertaining the increase in the territory which could be served by each carrier as a result of such improvement, the possible increase of the number of delivery days in each year, the amount required in excess of local expenditures for the proper maintenance of such roads, and the relative saving to the Government in the operation of the Rural Delivery Service, and to the local inhabitants in the transportation of their products by reason of such improvement and report the results in detail to Congress: *Provided*, That the State or the local subdivision thereof in which such improvement is made under this provision shall furnish double the amount of money for the improvement of the road or roads so selected. Such improvement shall be made under the supervision of the Secretary of Agriculture.

That the Secretary of Agriculture and the Postmaster General are hereby directed to report to Congress within one year after the ratification of this Act the result of their operations under this Act, the number of miles of road improved, the cost of same, and such other information as they may have acquired in connection with the operation of this Act, together with such recommendations as shall seem wise for providing a general plan of national aid for the improvement of postal roads in cooperation with the States and counties, and to bring about as near as possible such cooperation among the various States as will insure uniform and equitable interstate highway regulations, and for providing necessary funds for carrying out such plans of national aid, if it shall be deemed feasible to provide the same or any part thereof otherwise than by appropriation from the Treasury for that purpose.

Act August 24, 1912, c. 389, s. 1, 37 Stat. 551.

These are provisions of the postal service appropriation act for the fiscal year 1913, cited above.

REV. ST. SEC. 3677.

Control of appropriations of the department.

SEC. 3677. The Commissioner of Agriculture shall direct and superintend the expenditure of all money appropriated to the Department and render accounts thereof.

See note under Rev. St. sec. 525, above, as to change of designation of Commissioner to Secretary of Agriculture.

REV. ST. SEC. 528.

Annual and special reports of Commissioner [Secretary].

SEC. 528. The Commissioner of Agriculture shall annually make a general report in writing of his acts to the President and to Congress, in which he may recommend the publication of papers forming parts of or accompanying his report, which shall also contain an account of all moneys received and expended by him. He shall also make special reports on particular subjects whenever required to do so by the President or either House of Congress, or when he shall think the subject in his charge requires it.

See note under Rev. St. sec. 525, above, as to change of designation of Commissioner to Secretary of Agriculture.

REV. ST. SEC. 529.

Annual report of expenditures.

SEC. 529. The Commissioner of Agriculture shall, on or before the fifteenth day of December in each year, make a report in detail to Congress of all moneys expended by him or under his direction.

See note under Rev. St. sec. 525, above, as to change of designation of Commissioner to Secretary of Agriculture.

ACT MARCH 3, 1881, c. 129. (21 Stat. 381.)

Time and manner of accounts and reports of Commissioner [Secretary] of Agriculture.

SEC. 2. That the Commissioner of Agriculture is hereby directed and required to account and report to the proper accounting officers of the Treasury in the same manner and at the same times as the heads of executive departments of the government are now required by law to account and report.

Act March 3, 1881, c. 129, s. 2, 21 Stat. 385.

This is a section of the agricultural appropriation act for the fiscal year 1882, cited above. A provision in the same words is contained in the similar appropriation act for the preceding fiscal year.

The Commissioner of Agriculture is required, in addition to the vouchers and accounts for sums appropriated for the Department of Agriculture to be furnished to the Treasury, to present to Congress annual detailed statements of the expenditures of appropriations for the department, by a provision of act March 3, 1885, c. 338, s. 2, set forth below.

ACT MARCH 3, 1885, c. 338. (23 Stat. 353.)

Additional compensation to officers or employees; detailed statement to Congress of expenditures of Department of Agriculture.

SEC. 2. That no part of the money herein or hereafter appropriated for the Department of Agriculture shall be paid to any person, as additional salary or compensation, receiving at the same time other compensation as an officer or employee of the Government; and in addition to the proper vouchers and accounts for the sums appropriated for the said Department to be furnished to the accounting officers of the Treasury, the Commissioner of Agriculture shall, at the commencement of each regular session, present to Congress a detailed statement of the expenditure of all appropriations for said Department for the last preceding fiscal year.

Act March 3, 1885, c. 338, s. 2, 23 Stat. 356.

This is a section of the agricultural appropriation act for the fiscal year 1886, cited above.

The vouchers and accounts referred to, to be furnished to the accounting officers of the Treasury, are required by act March 3, 1881, c. 129, s. 2, set forth above.

ACT JULY 31, 1894, c. 174, s. 7. (28 Stat. 162.)

Settlement of accounts of the Department of Agriculture.

Fifth. The Auditor for the State and other Departments shall receive and examine all accounts of salaries and incidental expenses of the offices of the Secretary of State, the Attorney-General, and the Secretary of Agriculture, and of all bureaus and offices under their direction; all accounts relating to all other business within the jurisdiction of the Departments of State, Justice, and Agriculture; * * * He shall certify the balances arising thereon to the Division of Book-keeping and Warrants, and send forthwith a copy of each certificate, according to the character of the account, to the * * * chief officer of the Executive Department * * * concerned.

Act July 31, 1894, c. 174, s. 7, 28 Stat. 207.

These are provisions of the legislative, executive, and judicial appropriation act for the fiscal year 1895, cited above.

ACT JUNE 3, 1902, c. 985. (32 Stat. 286.)

Order and arrangement of estimates for Department of Agriculture.

* * * That hereafter the estimates of appropriations for the Department of Agriculture shall be prepared and submitted each year according to the order and arrangement of the Act for the year preceding; and any changes in such order or arrangement desired by the Secretary of Agriculture may be submitted by note in the estimates.

Detailed estimates of clerks in the Department of Agriculture.

It shall be the duty of the Secretary of Agriculture to submit, in the Book of Estimates for the fiscal year nineteen hundred and four, and annually thereafter, immediately following estimates of each of the respective offices, bureaus and divisions of the Department of Agriculture a statement showing in detail the number of clerks who were employed in the District of Columbia upon regular and continuous work for thirty days or more during the previous fiscal year in or under such offices, bureaus or divisions under authority of and paid from general appropriations, indicating in the case of every such employment the rate of compensation received and the appropriation from which paid.

Act June 3, 1902, c. 985, 32 Stat. 303.

These are provisions of the agricultural appropriation act for the fiscal year 1903, cited above.

Provisions relating to estimates for the executive departments in general are set forth *post*, under "Estimates and Reports."

ACT MARCH 4, 1911, c. 238. (36 Stat. 1235.)

Repeal of provisions requiring classified and detailed estimates and reports of receipts and expenditures by Forest Service, and of expenditures by Department of Agriculture.

That the provisions of the Act entitled "An Act making appropriations for the Department of Agriculture for the fiscal year end-

ing June thirtieth, nineteen hundred and eight," requiring the Secretary of Agriculture to submit to Congress classified and detailed reports of receipts and classified and detailed estimates and reports of expenditures by the Forest Service, and classified and detailed estimates and reports of every subject of expenditure by the Agricultural Department; statements showing all appointments, promotions, or other changes made in the salaries paid from lump funds, are hereby repealed.

Act March 4, 1911, c. 238, 36 Stat. 1264.

This is a provision of the agricultural appropriation act for the fiscal year 1912, cited above.

The provisions repealed by this act are contained in act March 4, 1907, c. 2907, 34 Stat. 1270, 1280, 1282.

ACT MAY 26, 1910, c. 256. (36 Stat. 416.)

Detailed estimates for officers, clerks, and employees of the Department of Agriculture.

The Secretary of Agriculture for the fiscal year nineteen hundred and twelve, and annually thereafter, shall transmit to the Secretary of the Treasury for submission to Congress in the Book of Estimates detailed estimates for all executive officers, clerks, and employees below the grade of clerk, indicating the salary or compensation of each, necessary to be employed by the various bureaus, offices, and divisions of the Department of Agriculture.

Act May 26, 1910, c. 256, 36 Stat. 440.

This is a provision of the agricultural appropriation act for the fiscal year 1911, cited above.

ACT AUGUST 10, 1912, c. 284. (37 Stat. 269.)

Requirement of detailed estimates for officers, clerks, and employees of the Department of Agriculture not to apply to employees in meat-inspection service or enforcement of insecticide act.

Hereafter so much of the Act of May twenty-sixth, nineteen hundred and ten (Thirty-sixth Statutes, page four hundred and sixteen), as requires the Secretary of Agriculture to transmit annually to the Secretary of the Treasury, for submission to Congress, detailed estimates for executive officers, clerks, and other employees in the various bureaus, offices, and divisions of the Department of Agriculture shall not apply to such employees in the meat-inspection service or employees engaged in the enforcement of the insecticide Act of nineteen hundred and ten.

Act August 10, 1912, c. 284, 37 Stat. 301.

The provision of act May 26, 1910, c. 256, mentioned above, is set forth above.

By a provision of act March 4, 1907, c. 2907, set forth on p. 67, *post*, under "Bureau of Animal Industry," the Secretary of Agriculture is required to submit in his annual estimates a detailed statement of persons employed in meat inspection, their compensation and expenses, and place of employment.

ACT MARCH 28, 1896, c. 73. An act to regulate the issue and recording of the commissions of officers in several of the departments. (29 Stat. 75.)

Commissions of officers under the Secretary of Agriculture.

That hereafter the commissions of all officers under the direction and control of the Secretary of the Treasury, the Secretary of War, the Secretary of the Navy, and the Secretary of Agriculture shall be

made out and recorded in the respective Departments under which they are to serve, and the Department seal affixed thereto, any laws to the contrary notwithstanding: *Provided*, That the said seal shall not be affixed to any such commission before the same shall have been signed by the President of the United States.

Act March 28, 1896, c. 73, 29 Stat. 75.

ACT MARCH 3, 1905, c. 1405. (33 Stat. 861.)

Laborers in the Department of Agriculture placed in classified service.

All classified laborers whose positions are transferred from the lump funds to the statutory rolls are hereby placed in the classified service without further examination in the grades and at the rates of compensation herein provided.

Act March 3, 1905, c. 1405, 33 Stat. 883.

This is a provision of the agricultural appropriation act for the fiscal year 1906, cited above.

The laborers so transferred are made eligible for promotion without further examination by a provision of act June 30, 1906, c. 3913, set forth below.

ACT JUNE 30, 1906, c. 3913. (34 Stat. 669.)

Laborers in the Department of Agriculture transferred to classified service eligible for promotion.

* * * That all classified laborers whose positions were transferred from the lump funds to the statutory rolls by the Act making appropriations for the Department of Agriculture approved March third, nineteen hundred and five, and who were by the last clause of that Act placed in the classified service without further examination in the grades and at the rates of compensation provided in said Act, are hereby made eligible for promotion without further examination.

Act June 30, 1906, c. 3913, 34 Stat. 695.

This is a proviso, annexed to provisions of the agricultural appropriation act for the fiscal year 1907, which provisions are repeated and made permanent by a provision of act March 4, 1907, c. 2907, set forth below.

The last clause of act March 3, 1905, c. 1405, mentioned in this provision, as having placed in the classified service the laborers in question, is set forth above.

ACT MARCH 4, 1907, c. 2907. (34 Stat. 1256.)

Appointments, promotions, and changes paid out of lump funds; details of employees from office of Secretary.

And hereafter the Secretary of Agriculture is hereby authorized to make such appointments, promotions, and changes in salaries, to be paid out of the lump funds of the several bureaus, divisions, and offices of the Department as may be for the best interests of the service: * * * And the Secretary of Agriculture is hereby authorized and directed to pay the salary of each employee from the roll of the bureau, independent division, or office in which the employee is working, and no other: *Provided, however*, That details may be made from or to the office of the Secretary when necessary and the services of the person whom it is proposed to detail are not required in that office; * * *

Act March 4, 1907, c. 2907, 34 Stat., 1280.

These are provisions of the agricultural appropriation act for the fiscal year 1908, cited above. Provisions in the same words, except the word "hereafter," following the word "And" at the beginning of the para-

graph, were contained in the similar appropriation act for the two preceding fiscal years.

A proviso, here omitted, following the first provision of this paragraph, and relating to the maximum salary that may be paid any classified scientific investigator or employee in the city of Washington, is superseded by a provision of act May 23, 1910, c. 255, set forth below.

A further clause of the last proviso of this provision, requiring an annual statement to Congress of all appointments, promotions, or changes in salaries paid from lump funds, etc., is repealed by a provision of act March 4, 1911, c. 238, set forth on p. 17, *ante*.

ACT MAY 26, 1910, c. 256. (36 Stat. 416.)

Maximum salary of scientific investigators or employees.

That hereafter the maximum salary of any scientific investigator in the city of Washington, or other employee engaged in scientific work, paid from the general appropriation, shall not exceed four thousand dollars per annum.

Act May 26, 1910, c. 256, 36 Stat. 440.

This is a provision of the agricultural appropriation act for the fiscal year 1911, cited above. Similar provisions were contained as provisos annexed to provisions relating to appointments, promotions, and changes paid out of lump funds, in the agricultural appropriation acts for the fiscal years 1906, 1907, and 1908. The word "hereafter" was added at the beginning of the provisions to which the said provisos were annexed, in the acts for the fiscal years 1907 and 1908; instead of the words "four thousand dollars" in the provision as above set forth, the words "three thousand" appear in the provisions of the acts for 1906 and 1907, and "three thousand five hundred" in the provision of the act for 1908; and the words "paid from the general appropriation," in the provisions as above set forth, do not appear in such previous provisions.

By the provisions of Rev. St., sec. 2687, set forth on p. 288, *post*, under "Officers, Clerks, and Employees," officers, agents, and employees of the United States serving for less than one year, shall not be allowed a greater than a pro rata of their maximum compensation for the time which they actually serve.

ACT JUNE 3, 1902, c. 985. (32 Stat. 286.)

Advances of money to chiefs of field parties, agricultural explorers, special agents, etc., upon bonds given.

* * * That advances of public money from the appropriations for the Department of Agriculture shall be made by the Secretary of Agriculture only to such chiefs of field parties, agricultural explorers, special agents, and others as shall have given bonds in such sums as the Secretary of Agriculture shall direct.

Act June 3, 1902, c. 985, 32 Stat. 303.

This is a proviso annexed to the agricultural appropriation act for the fiscal year 1903, cited above.

ACT MARCH 1, 1899, c. 325. (30 Stat. 947.)

Purchases or services for the Department of Agriculture.

That hereafter section thirty-seven hundred and nine of the Revised Statutes of the United States shall not be construed to apply to any purchase or service rendered in the Department of Agriculture when the aggregate amount involved does not exceed the sum of fifty dollars.

Act March 1, 1899, c. 325, 30 Stat. 957.

This is a provision of the agricultural appropriation act for the fiscal year 1900, cited above.

Rev. St. sec. 3709, mentioned in this provision, set forth on p. 321, *post*, under "Contracts," requires that all purchases and contracts for supplies or services in the departments of the Government, except for personal services, shall be made by advertising for proposals.

ACT MARCH 4, 1907, c. 2907. (34 Stat. 1256.)

Purchase of mileage books for employees of the Department of Agriculture.

And hereafter the Secretary of Agriculture is authorized to purchase from appropriations made for traveling expenses for employees of the Department of Agriculture, mileage and mileage books, at commercial rates, in the manner in which such mileage or mileage books are usually purchased.

Act March 4, 1907, c. 2907, 34 Stat. 1281.

This is a provision of the agricultural appropriation act for the fiscal year 1908, cited above.

ACT MARCH 4, 1911, c. 238. (36 Stat. 1235.)

Traveling expenses and charges for transportation of effects, etc., of officers and employees of the Department of Agriculture transferred from one station to another.

That hereafter officers and employees of the Department of Agriculture transferred from one official station to another for permanent duty, when authorized by the Secretary of Agriculture, may be allowed actual traveling expenses, including charges for the transfer of their effects and personal property used in official work, under such rules and regulations as may be prescribed by the Secretary of Agriculture.

Act March 4, 1911, c. 238, 36 Stat. 1265.

This is a provision of the agricultural appropriation act for the fiscal year 1912, cited above.

ACT AUGUST 10, 1912, c. 284. (37 Stat. 269.)

Per diem allowance in lieu of subsistence and certain traveling expenses, for officials and employees of the Department of Agriculture.

That hereafter, when officials and employees of the Department of Agriculture are traveling on official business in the United States, they may be allowed necessary railroad and steamboat fares, sleeping berth, and stateroom on steamboats, livery hire and stage fare, and other means of conveyance between points not accessible by railroad, but in lieu of subsistence and all other traveling expenses they may receive a per diem allowance, to be fixed by the Secretary in each case, in addition to their regular salaries, subject to such rules and regulations as the Secretary of Agriculture may prescribe.

Reimbursement for street-car fares for officials and employees of the Department of Agriculture.

That hereafter officials and employees of the Department of Agriculture may, when authorized by the Secretary of Agriculture, receive reimbursement for moneys expended for street-car fares at their official headquarters when expended in the transaction of official business.

Act August 10, 1912, c. 284, 37 Stat. 300.

These are provisions of the agricultural appropriation act for the fiscal year 1913, cited above.

ACT MARCH 4, 1909, c. 301. (35 Stat. 1039.)

Assignments of pay by employees of the Department of Agriculture.

And hereafter the Secretary of Agriculture is authorized to permit employees of the Department of Agriculture to make assignments of their pay, under such regulations as he may prescribe, during such time as they may be in the employ of the said department.

Powers and duties of watchmen of Department of Agriculture.

And hereafter all duly and lawfully constituted and appointed watchmen of the Department of Agriculture stationed in and upon the buildings and premises of said department in the city of Washington, District of Columbia, shall have and perform the same powers and duties, while on duty in and about said premises, as the Metropolitan police of the District of Columbia.

Act March 4, 1909, c. 301, 35 Stat. 1057.

These are provisions of the agricultural appropriation act for the fiscal year 1910, cited above.

ACT MAY 23, 1908, c. 192. (35 Stat. 251.)

Leaves of absence to employees of the Department of Agriculture outside of Washington.

LEAVE OF ABSENCE: The employees of the Department of Agriculture, outside of the city of Washington, may hereafter, in the discretion of the Secretary of Agriculture, be granted leave of absence not to exceed fifteen days in any one year, which leave may in exceptional and meritorious cases where such an employee is ill, be extended, in the discretion of the Secretary of Agriculture, not to exceed fifteen days additional in any one year.

Act May 23, 1908, c. 192, 35 Stat. 267.

This is a provision of the agricultural appropriation act for the fiscal year 1909, cited above. This provision supersedes similar provisions relating to the employees of the Weather Bureau, the Bureau of Animal Industry, the Bureau of Plant Industry, the Forest Service, the Bureau of Chemistry, and the experiment stations in Alaska, Hawaii, and Porto Rico, in the agricultural appropriation acts for the fiscal year 1908, and previous fiscal years.

Provisions of act March 3, 1893, c. 211, and act July 7, 1898, c. 571, relating to leave of absence of clerks and employees in the executive departments in general, are set forth on pp. 292, 293, *post*, under "Officers, Clerks, and Employees."

ACT MARCH 4, 1907, c. 2907. (34 Stat. 1256.)

Sale of prints and lantern slides from photographic negatives of the Department of Agriculture.

And hereafter the Secretary of Agriculture is hereby authorized to furnish, upon application, prints and lantern slides from negatives in the possession of the department and to charge for the same a price to cover the cost of preparation, such price to be determined and established by the Secretary of Agriculture, and the money received from such sales to be deposited in the Treasury of the United States.

Act March 4, 1907, c. 2907, 34 Stat. 1281.

This is a provision of the agricultural appropriation act for the fiscal year 1908, cited above. A provision in the same words, except the word "hereafter," was contained in the similar act for the preceding fiscal year.

A provision of the same act, for the disposition of photographic prints, lantern slides, etc., forest maps, and condemned property or material of the Forest Service, is set forth on p. 172, *post*, under "Forest Service."

Disposition of accumulations of department files and obsolete or worthless documents or publications.

And hereafter the Secretary of Agriculture is authorized to sell as waste waste paper, or otherwise to dispose of the accumulation of Department files which do not constitute permanent records, and all other documents and publications which have become obsolete or worthless.

Act March 4, 1907, c. 2907, 34 Stat. 1281.

This is a further provision of the agricultural appropriation act for the fiscal year 1908, cited above.

Provisions, applicable to all the departments, for the disposition of accumulations of useless papers, contained in act February 16, 1889, c. 171, are set forth on p. 376, *post*.

ACT AUGUST 10, 1912, c. 284. (37 Stat. 269.)

Purchase from appropriation for "Contingent expenses, Department of Agriculture," of stationery, supplies, furniture, etc., for bureaus, divisions, and offices.

* * * That hereafter the Secretary of Agriculture may purchase stationery, supplies, furniture, and miscellaneous materials from this appropriation ["Contingent expenses, Department of Agriculture,"] and transfer the same at actual cost to the various bureaus, divisions, and offices of the Department of Agriculture in the city of Washington, reimbursement therefor to be made to this appropriation by said bureaus, divisions, and offices from their lump-fund appropriations by transfer settlements through the Treasury Department: *Provided further*, That the Secretary of Agriculture may hereafter exchange typewriters and computing, addressing, and duplicating machines purchased from any lump-fund appropriation of the Department of Agriculture.

These are provisos annexed to the appropriation for "Contingent expenses, Department of Agriculture," in the agricultural appropriation act for the fiscal year 1913, cited above.

ACT AUGUST 5, 1909, c. 6. (36 Stat. 11.)

Plants, etc., imported by the Department of Agriculture, exempt from duty.

That on and after the day following the passage of this Act, except as otherwise specially provided for in this Act, the articles mentioned in the following paragraphs shall, when imported into the United States or into any of its possessions (except the Philippine Islands and the islands of Guam and Tutuila), be exempt from duty:

* * * * *

652. Plants, trees, shrubs, roots, seed cane, and seeds, imported by the Department of Agriculture or the United States Botanic Garden.

Act August 5, 1909, c. 6, s. 1, 36 Stat. 71, 78.

This is a provision of "An act to provide revenue, equalize duties and encourage the industries of the United States, and for other purposes," cited above.

ACT JANUARY 12, 1895, c. 23, s. 73. (28 Stat. 601.)

Extra copies of Annual Report of the Secretary of Agriculture; subject matter; number of copies; illustrations.

SEC. 73. Extra copies of documents and reports shall be printed promptly when the same shall be ready for publication, and shall be bound in paper or cloth as directed by the Joint Committee on Print-

ing, and shall be of the number following in addition to the usual number:

The Annual Report of the Secretary of Agriculture shall hereafter be submitted and printed in two parts, as follows: Part one, which shall contain purely business and executive matter which it is necessary for the Secretary to submit to the President and Congress; part two, which shall contain such reports from the different bureaus and divisions, and such papers prepared by their special agents, accompanied by suitable illustrations as shall, in the opinion of the Secretary, be specially suited to interest and instruct the farmers of the country, and to include a general report of the operations of the Department for their information. There shall be printed of part one, one thousand copies for the Senate, two thousand copies for the House, and three thousand copies for the Department of Agriculture; and of part two, one hundred and ten thousand copies for the use of the Senate, three hundred and sixty thousand copies for the use of the House of Representatives, and thirty thousand copies for the use of the Department of Agriculture, the illustrations for the same to be executed under the supervision of the Public Printer, in accordance with directions of the Joint Committee on Printing, said illustrations to be subject to the approval of the Secretary of Agriculture; and the title of each of the said parts shall be such as to show that such part is complete in itself: * * *

Act January 12, 1895, c. 23, s. 73, 28 Stat. 612.

These are provisions of "An act providing for the public printing and binding and the distribution of public documents," cited above.

A provision of this section, authorizing the printing and binding of extra copies of the Annual Report of the Chief of the Weather Bureau, is set forth on p. 37, *post*, under "Weather Bureau," and a similar provision of the same section relating to the Report of the Bureau of Animal Industry, is set forth on p. 71, *post*, under "Bureau of Animal Industry."

The preparation and printing of the Annual Report of the Director of the Office of Experiment Stations is authorized by Res. April 27, 1904, No. 29, set forth on p. 253, *post*, under "Office of Experiment Stations."

Appropriations for printing and binding for the Department of Agriculture, including the Annual Report of the Secretary of Agriculture, are made in the annual sundry civil appropriation acts. The provision of the act for the fiscal year 1913, act August 24, 1912, c. 355, is set forth on p. 229, *post*, under "Division of Publications."

Number of copies of monthly crop report, and other reports and bulletins of Department of Agriculture, and maps, charts, bulletins, and minor reports of Weather Bureau.

* * * The Secretary of Agriculture may print such number of copies of the monthly crop report, and of other reports and bulletins containing not to exceed one hundred octavo pages, as he shall deem requisite; and this provision shall apply to the maps, charts, bulletins, and minor reports of the Weather Bureau, which shall be printed in such numbers as the Secretary of Agriculture may deem for the best interests of the Government: * * *

Act January 12, 1895, c. 23, s. 89, 28 Stat. 622.

This is a proviso of the act cited above. Portions of said section here omitted are applicable to all the executive departments, and are set forth on p. 365, *post*, under "Public Printing."

Provisions relating to the preparation, contents, etc., of the monthly crop reports, contained in act March 4, 1909, c. 301, are set forth on p. 232, *post*, under "Bureau of Statistics."

RES. JUNE 30, 1906, No. 51. Joint resolution relative to the printing of twelve thousand copies of the report on the progress of the beet-sugar industry. (34 Stat. 839.)

Annual printing and distribution of report on the beet-sugar industry.

That there be printed twelve thousand copies of the report on the progress of the beet-sugar industry in the United States in nineteen hundred and five; one thousand copies for the use of the Senate, three thousand copies for the use of the House of Representatives, and eight thousand copies for the use of the Department of Agriculture, and that the Secretary of Agriculture be authorized to print and distribute annually hereafter eight thousand copies of such annual reports covering the progress of the beet-sugar industry: *Provided*, That the preparation and publication of such annual reports shall be within the discretion of the Secretary of Agriculture.

Res. June 30, 1906, No. 51, 34 Stat. 839.

ACT MARCH 3, 1899, c. 458. (30 Stat. 1377.)

Use of Potomac Park by Department of Agriculture as testing grounds.

That the Secretary of War is authorized to grant permission to the Department of Agriculture for the temporary occupation of such area or areas of Potomac Park, not exceeding a total of seventy-five acres in extent, as may not be needed in any one season for the reclamation or park improvement, the said areas to be used by the Department of Agriculture as testing grounds: *Provided*, That nothing herein contained shall be construed to change the essential character of the lands so used, which lands shall continue to be a public park, as provided in the Act of Congress approved March third, eighteen hundred and ninety-seven: *And provided further*, That said area or areas shall be vacated by the Department of Agriculture at the close of any season upon the request of the Secretary of War: *And provided further*, That the entire park shall remain under the charge of the Secretary of War.

Act March 3, 1899, c. 458, s. 2, 30 Stat. 1378.

This is a paragraph of section 2 of "An act relative to the control of wharf property and certain public spaces in the District of Columbia," cited above.

ACT APRIL 18, 1900, c. 243. An act to set apart a portion of the Arlington estate for experimental agricultural purposes, and to place said portion under the jurisdiction of the Secretary of Agriculture and his successors in office. (31 Stat. 135.)

Portion of Arlington estate placed under jurisdiction of Secretary of Agriculture.

That jurisdiction is hereby transferred and given to the Secretary of Agriculture and his successors in office over so much of the Government land in Alexandria County, Virginia, known as the Arlington estate, as lies east of the public road leading from the Aqueduct Bridge to Alexandria, Virginia, otherwise called the Georgetown and Alexandria road, and between said road and the Potomac River, containing about four hundred acres, with the exception, however, of a strip of land as follows, commencing at the point where the Georgetown and Alexandria road enters the Arlington estate on the north side, thence along said road six hundred and twenty-five yards,

thence in a line perpendicular to said road to the Chesapeake and Ohio Canal, thence along said canal to the south line of the reservation, jurisdiction over which is retained by the Secretary of War.

Act April 18, 1900, c. 243, s. 1, 31 Stat. 135.

This section is construed by a provision of the agricultural appropriation act for the fiscal year 1903, act June 3, 1902, c. 985, set forth below. In the words "thence along said canal to the south line of the reservation, jurisdiction over which is retained by the Secretary of War," of the section as above set forth, the word "north" is substituted for the word "south," and the words "jurisdiction over which is retained by the Secretary of War" are omitted.

Use of land as a general experimental farm.

SEC. 2. That the declared purpose of this Act is to set apart said tract of land as a general experimental farm in its broadest sense, where all that pertains to agriculture in its several and different branches, including animal industry and horticulture, may be fostered and encouraged, and the practice and science of farming in the United States advanced, promoted, and practically illustrated.

Act April 18, 1900, c. 243, s. 2, 31 Stat. 136.

Control, improvement, and management of land.

SEC. 3. That the Secretary of Agriculture will take immediate and absolute control of said property described in section one, and by clearing, underdraining, grassing, laying out proper roads and driveways, constructing proper bridges and buildings, and in other ways as his judgment may dictate bring said property as rapidly as possible into the proper condition to answer the purposes for which it is set apart: *Provided*, That all improvements of or which may at any time be made upon said premises, as herein contemplated, shall be so located, constructed, and maintained as not to interfere with or obstruct the natural waterways or the sewers or other means now established or which may hereafter be provided, constructed, or maintained for the purpose of affording proper drainage and sewerage to the other portions of said estate: *And provided further*, That this Act shall not impair or interfere with any of the rights heretofore granted by Act of Congress to the Washington, Alexandria and Mount Vernon Railway Company to construct, maintain, and operate its electric railroad across the said portion of the estate lying east of said public road.

Act April 18, 1900, c. 243, s. 3, 31 Stat. 136.

Authority to carry out purposes of act.

SEC. 4. That in the development, improvement, and management of said property full discretion is hereby given the Secretary of Agriculture and his successors in office to carry into effect the declared purposes of this Act.

Act April 18, 1900, c. 243, s. 4, 31 Stat. 136.

Time of taking effect of act.

SEC. 5. That this Act shall be in force from its passage.

Act April 18, 1900, c. 243, s. 5, 31 Stat. 136.

Appropriations for the necessary improvements to establish and maintain a general experiment farm and agricultural station on the Arlington estate are made in the agricultural appropriation acts for the fiscal years 1901 and thereafter. The provision of the act for the fiscal year 1913 is set forth on p. 85, *post*.

ACT JUNE 3, 1902, c. 985. (32 Stat. 286.)

Construction of act setting apart portion of Arlington estate for experimental agricultural purposes.

ARLINGTON EXPERIMENTAL FARM: To enable the Secretary of Agriculture to continue the necessary improvements to establish and maintain a general experimental farm and agricultural station on the Arlington estate, in the State of Virginia, including employment of labor in the city of Washington or elsewhere, in accordance with the provisions of the Act of Congress approved April eighteenth, nineteen hundred, entitled "An Act to set apart a portion of the Arlington estate for experimental agricultural purposes, and to place said portion under the jurisdiction of the Secretary of Agriculture and his successors in office," which Act shall be construed to confer upon the Secretary of Agriculture and his successors jurisdiction over so much of the Government land in Alexandria County, Virginia, known as the Arlington estate, as lies east of the public road leading from the Aqueduct Bridge to Alexandria, Virginia, otherwise called the Georgetown and Alexandria road, and between said road and the Potomac River, containing about four hundred acres, with the exception, however, of a strip of land as follows: Commencing at the point where the Georgetown and Alexandria road enters the Arlington estate on the north side, thence along said road six hundred and twenty-five yards, thence in a line perpendicular to said road to the Chesapeake and Ohio Canal, thence along said canal to the north line of the reservation, * * *

Act June 3, 1902, c. 985, 32 Stat. 293.

These are provisions of the agricultural appropriation act for the fiscal year 1903, cited above. The provisions are repeated in the same words in the similar appropriation acts for the fiscal years thereafter to an including 1906.

The act mentioned above, act April 18, 1900, c. 243, is set forth above.

ACT FEBRUARY 9, 1903, c. 528. An act for the erection of a building for the use and accommodation of the Department of Agriculture. (32 Stat. 806.)

Construction of a building for Department of Agriculture; plans; contracts.

That the Secretary of Agriculture be, and he is hereby, authorized and directed to cause a suitable and commodious fireproof building, for the use and accommodation of the Department of Agriculture, including all of its Bureaus and offices now occupying rented quarters in the District of Columbia, to be erected on such portion of the grounds of the Department of Agriculture belonging to the United States as he may deem expedient, immediately in the vicinity of the present building, said building to be constructed in accordance with plans, to be procured, based on accurate estimates, providing for the erection of said building, complete in all of its details, as herein described, and within a total cost of not exceeding the sum herein stipulated, and he is hereby authorized, after procuring such plans, and after due advertisement for proposals, to enter into contracts within the limit of cost hereby fixed and subject to appropriations to be made by Congress, for the erection of said building complete, including heating and ventilating apparatus, elevators, and approaches, and the removal of the present building or buildings of the Department of Agriculture on said grounds.

Act February 9, 1903, c. 528, s. 1, 32 Stat. 806.

Supervision of construction.

SEC. 2. That the supervision of the construction of said building shall be placed in charge of an officer of the Government especially qualified for the duty, to be appointed by the Secretary of Agriculture, subject to the approval of the head of the department in which such officer is employed, who shall receive for his additional services an increase of twenty-five per centum of his present salary, such increase to be paid out of the appropriation for the building herein authorized.

Act February 9, 1903, c. 528, s. 2, 32 Stat. 806.

Limit of cost.

SEC. 3. That the limit of cost for the construction of said building complete, including heating and ventilating apparatus, elevators, and approaches, and the cost for removal of the present building or buildings of the Department of Agriculture, is hereby fixed at one million five hundred thousand dollars, and no contract shall be entered into or expenditure authorized in excess of said amount.

Act February 9, 1903, c. 528, s. 3, 32 Stat. 806.

RES. APRIL 12, 1892, No. 8. Joint resolution to encourage the establishment and endowment of institutions of learning at the national capital by defining the policy of the Government with reference to the use of its literary and scientific collections by students. (27 Stat. 395.)

Facilities for research and illustration in the Department of Agriculture accessible to scientific investigators and students.

Whereas, large collections illustrative of the various arts and sciences and facilitating literary and scientific research have been accumulated by the action of Congress through a series of years at the national capital; and

Whereas it was the original purpose of the Government thereby to promote research and the diffusion of knowledge, and is now the settled policy and present practice of those charged with the care of these collections specially to encourage students who devote their time to the investigation and study of any branch of knowledge by allowing to them all proper use thereof; and

Whereas it is represented that the enumeration of these facilities and the formal statement of this policy will encourage the establishment and endowment of institutions of learning at the seat of Government, and promote the work of education by attracting students to avail themselves of the advantages aforesaid under the direction of competent instructors: Therefore,

Resolved, * * * That the facilities for research and illustration in the following and any other Governmental collections now existing or hereafter to be established in the city of Washington for the promotion of knowledge shall be accessible, under such rules and restrictions as the officers in charge of each collection may prescribe, subject to such authority as is now or may hereafter be permitted by law, to the scientific investigators and to students of any institution of higher education now incorporated or hereafter to be incorporated under the laws of Congress or of the District of Columbia, to wit:

One. Of the Library of Congress.

Two. Of the National Museum.

- Three. Of the Patent Office.
- Four. Of the Bureau of Education.
- Five. Of the Bureau of Ethnology.
- Six. Of the Army Medical Museum.
- Seven. Of the Department of Agriculture.
- Eight. Of the Fish Commission.
- Nine. Of the Botanic Gardens.
- Ten. Of the Coast and Geodetic Survey.
- Eleven. Of the Geological Survey.
- Twelve. Of the Naval Observatory.

Res. April 12, 1892, No. 8, 27 Stat. 395.

REV. ST. SEC. 1712.

Reports by consuls on agricultural and horticultural industries in foreign countries, for use of Department of Agriculture; information to be embodied in monthly crop reports.

SEC. 1712. Consuls and commercial agents of the United States in foreign countries shall * * * procure and transmit to the Department of State, for the use of the Agricultural Department, monthly reports relative to the character, condition, and prospective yields of the agricultural and horticultural industries and other fruiteries of the country in which they are respectively stationed; and the Commissioner of Agriculture is hereby required and directed to embody the information thus obtained, or so much thereof as he may deem material and important, in his monthly bulletin of crop reports.

Rev. St. sec. 1712, as amended by act June 18, 1888, c. 393, 25 Stat. 186.

REV. ST. SEC. 1713.

Reports by consular officers of information pertaining to agriculture; information to be included in annual report of Commissioner [Secretary] of Agriculture.

SEC. 1713. Every consular officer shall furnish to the Secretary of the Treasury, as often as shall be required, the prices current of all articles of merchandise usually exported to the United States from the port or place in which he is situated; and he shall also furnish to the Secretary of the Treasury, at least once in twelve months, the prices current of all articles of merchandise, including those of the farm, the garden, and the orchard, that are imported through the port or place in which he is stationed. And he shall also report as to the character of agricultural implements in use, and whether they are imported to or manufactured in that country; as to the character and extent of agricultural and horticultural pursuits there. That part of the information thus obtained which pertains to agriculture shall be transmitted by the Secretary of the Treasury, as soon as the same shall have been received by him, to the Commissioner of Agriculture, who shall include the same, or so much thereof as he may deem material and important, in his annual reports, stating the said prices in dollars and cents, and rendering tables of foreign weights and measures into their American equivalents.

Rev. St. sec. 1713, as amended by act June 18, 1888, c. 393, 25 Stat. 186.

ACT AUGUST 10, 1912, c. 284. An act making appropriations for the Department of Agriculture for the fiscal year ending June thirtieth, nineteen hundred and thirteen. (37 Stat. 269.)

That the following sums be, and they are hereby, appropriated, out of any money in the Treasury of the United States not otherwise appropriated, in full compensation for the fiscal year ending June thirtieth, nineteen hundred and thirteen, for the purposes and objects hereinafter expressed, namely:

DEPARTMENT OF AGRICULTURE.

SALARIES, OFFICE OF THE SECRETARY OF AGRICULTURE: Secretary of Agriculture, twelve thousand dollars; Assistant Secretary of Agriculture, five thousand dollars; solicitor, five thousand dollars; chief clerk, three thousand dollars, and five hundred dollars additional as custodian of buildings; private secretary to the Secretary of Agriculture, two thousand five hundred dollars; stenographer and executive clerk to the Secretary of Agriculture, two thousand two hundred and fifty dollars; private secretary to the Assistant Secretary of Agriculture, one thousand six hundred dollars; stenographer to the Assistant Secretary of Agriculture, one thousand four hundred dollars; one appointment clerk, two thousand dollars; one chief of supply division, two thousand dollars; one inspector, two thousand seven hundred and fifty dollars; one law clerk, at three thousand dollars; two law clerks, at two thousand five hundred dollars each; one law clerk, two thousand two hundred dollars; ten law clerks, at two thousand dollars each; eight law clerks, at one thousand eight hundred dollars each; three law clerks, at one thousand six hundred dollars each; one telegraph and telephone operator, one thousand six hundred dollars; two clerks, class four; six clerks, class three; ten clerks, class two; eighteen clerks, class one; eight clerks, at one thousand dollars each; six clerks, at nine hundred dollars each; one clerk, eight hundred and forty dollars; twelve messengers or laborers, at eight hundred and forty dollars each; ten assistant messengers or laborers, at seven hundred and twenty dollars each; one chief engineer, who shall be captain of the watch, two thousand dollars; one assistant chief engineer, one thousand four hundred dollars; one assistant engineer, one thousand two hundred dollars; two assistant engineers, at one thousand dollars each; seven firemen, at seven hundred and twenty dollars each; eight elevator conductors, at seven hundred and twenty dollars each; one construction inspector, one thousand four hundred dollars; five cabinetmakers or carpenters, at one thousand two hundred dollars each; two cabinetmakers or carpenters, at one thousand one hundred dollars each; eight cabinetmakers or carpenters, at one thousand and twenty dollars each; two cabinetmakers or carpenters, at nine hundred dollars each; one electrician, one thousand one hundred dollars; one electrical wireman, one thousand dollars; one electrical wireman, nine hundred dollars; two electrician's helpers, at seven hundred and twenty dollars each; two painters, at one thousand dollars each; two painters, at nine hundred dollars each; five plumbers or steam fitters, at one thousand and twenty dollars each; one plumber's helper, eight hundred and forty dollars; two plumber's helpers, at seven hundred and twenty dollars each; one blacksmith, nine hundred dollars; one lieutenant of the watch, one thousand dol-

lars; thirty-four watchmen, at seven hundred and twenty dollars each; four mechanics, at one thousand two hundred dollars each; one skilled laborer, nine hundred and sixty dollars; one janitor, nine hundred dollars; eighteen assistant messengers or laborers, at six hundred dollars each; twenty-one laborers, messenger boys, or charwomen, at four hundred and eighty dollars each; one charwoman, five hundred and forty dollars; eight charwomen, at two hundred and forty dollars each; for extra labor and emergency employments, twelve thousand dollars.

Total for Office of the Secretary, two hundred and ninety-two thousand two hundred and eighty dollars.

* * * * *

Act August 10, 1912, c. 284, 37 Stat. 269.

Portions of this act, here omitted, consist of appropriations for salaries and general expenses of the Weather Bureau, Bureau of Animal Industry, Bureau of Plant Industry, Forest Service, Bureau of Chemistry, Bureau of Soils, Bureau of Entomology, Bureau of Biological Survey, Division of Accounts and Disbursements, Division of Publications, Bureau of Statistics, and Library. These provisions are set forth hereafter under the headings of the respective bureaus, etc., to which they pertain.

CONTINGENT EXPENSES.

CONTINGENT EXPENSES, DEPARTMENT OF AGRICULTURE: For stationery, blank books, twine, paper, gum, dry goods, soap, brushes, brooms, mats, oils, paints, glass, lumber, hardware, ice, fuel, water and gas pipes, heating apparatus, furniture, carpets, and matting; for lights, freight, express charges, advertising, telegraphing, telephoning, postage, washing towels, and necessary repairs and improvements to buildings, grounds, and heating apparatus; for the purchase, subsistence, and care of horses and the purchase and repair of harness and vehicles, for official purposes only; for the payment of duties on imported articles, and the Department of Agriculture's proportionate share of the expense of the dispatch agent in New York; for official traveling expenses; and for other miscellaneous supplies and expenses not otherwise provided for, and necessary for the practical and efficient work of the department, one hundred and six thousand and sixty-six dollars: * * *

A proviso, here omitted, authorizing the purchase of stationery, supplies, furniture, and miscellaneous materials from the appropriation for "Contingent expenses, Department of Agriculture," and the transfer of the same at cost to the bureaus, divisions, and offices of the Department in Washington, and the reimbursement therefor of said appropriation from lump-sum appropriations of the bureaus, divisions, and offices by transfer settlements through the Treasury Department; and a proviso authorizing the exchange of typewriters and computing, addressing, and duplicating machines purchased from any lump-sum appropriation of the Department of Agriculture; are set forth on p. 23, *ante*.

RENT IN THE DISTRICT OF COLUMBIA.

RENT OF BUILDINGS, DEPARTMENT OF AGRICULTURE: For rent of buildings and parts of buildings in the District of Columbia for use of the various bureaus, divisions, and offices of the Department of Agriculture, namely:

For Bureau of Animal Industry, three thousand and eighty-four dollars;

For Bureau of Plant Industry, twenty-three thousand eight hundred and thirty dollars;

For Forest Service, twenty-five thousand and seventy-five dollars;

For Bureau of Chemistry, seventeen thousand three hundred and twenty dollars.

For Bureau of Soils, three hundred and sixty dollars;

For Division of Publications, five thousand dollars.

For Office of Solicitor, two thousand one hundred and sixty dollars;

For Office Experiment Stations, five thousand dollars;

For Office of Public Roads, three thousand five hundred dollars;

For additional rent in cases of emergency for any bureau, division, or office of the department, ten thousand dollars;

In all, ninety-five thousand three hundred and twenty-nine dollars.

* * * * *

Act August 10, 1912, c. 284, 37 Stat. 296.

Portions of this act, here omitted, relating to salaries and general expenses of Office of Experiment Stations and Office of Public Roads, are set forth below under the respective headings of these offices.

And not to exceed ten per centum of the foregoing amounts for the miscellaneous expenses of the work of any bureau, division, or office herein provided for shall be available interchangeably for expenditures on the objects included within the general expenses of such bureau, division, or office, but no more than ten per centum shall be added to any one item of appropriation except in cases of extraordinary emergency, and then only upon the written order of the Secretary of Agriculture.

Total, Department of Agriculture, for routine and ordinary work, sixteen million two hundred and sixty-four thousand four hundred and ninety-six dollars.

Act August 10, 1912, c. 284, 37 Stat. 300.

MISCELLANEOUS.

* * * * *

A paragraph of this act, here omitted, relating to investigations on cost of food supplies, is set forth on p. 14, *ante*.

An appropriation, here omitted, for the enforcement of the Insecticide Act, is set forth on p. 263, *post*.

An appropriation, here omitted, for fighting forest fires in emergency, is set forth on p. 183, *post*, under "Forest Service."

Paragraphs, here omitted, relating to per diem in lieu of subsistence and certain traveling expenses, and reimbursement for street-car fares, are set forth on p. 21, *ante*.

An appropriation, here omitted, for carrying out the purposes of act March 1, 1911, c. 186, is set forth on p. 102, *post*, under "Forest Service."

To enable the Secretary of Agriculture to make an exhibit at the next annual meeting of the International Dry Land Congress, to be held at Lethbridge, Alberta, Canada, in October, nineteen hundred and twelve, illustrative of the investigations, products, and processes relating to farming in the subhumid region of the United States, ten thousand dollars, to be immediately available.

That the Secretary of Agriculture be, and he hereby is, empowered to prepare from the several divisions of the Department of Agriculture an exhibit to be displayed at the Fifth National Corn Exposition, to be held in Columbia, South Carolina, from January twenty-seventh to February ninth, nineteen hundred and thirteen.

That the said exhibit shall be of such nature as the Secretary of Agriculture deems appropriate: *Provided*, That the Secretary of Agriculture shall make such arrangements with the proper officers of the said exposition that the Department of Agriculture shall be at no expense for transportation of said exhibit to and from the exposition: *Provided further*, That the Secretary of Agriculture shall also make such arrangements with the proper authorities of said exposition that there shall be no expense to the department for any breakage or damage that may occur to the exhibit, nor for the living expenses of such appointees as he may see fit to send to said exposition to demonstrate the exhibit sent.

* * * * * *

Provisions, here omitted, making an appropriation for investigations to meet the emergency caused by the spread of the chestnut-bark disease, and an appropriation for investigating the cultivation, acclimating, and development of types of potatoes, and for experimentation and development of sugar-beet seed, are set forth on p. 85, *post*, under "Bureau of Plant Industry."

A provision, here omitted, excepting employees in the meat-inspection service and employees engaged in enforcement of the insecticide act of 1910, from requirements as to detailed estimates for officers, clerks, and employees of the department, is set forth on p. 18, *ante*.

Total carried by this Act for the Department of Agriculture, sixteen million six hundred and fifty-one thousand four hundred and ninety-six dollars.

Act August 10, 1912, c. 284, 37 Stat. 300.

• WEATHER BUREAU.

ACT OCTOBER 1, 1890, c. 1266. An act to increase the efficiency and reduce the expenses of the Signal Corps of the Army, and to transfer the Weather Service to the Department of Agriculture. (26 Stat. 653.)

Establishment of the Bureau.

That the civilian duties now performed by the Signal Corps of the Army shall hereafter devolve upon a bureau to be known as the Weather Bureau, which, on and after July first, eighteen hundred and ninety-one, shall be established in and attached to the Department of Agriculture, and the Signal Corps of the Army shall remain a part of the Military Establishment under the direction of the Secretary of War, and all estimates for its support shall be included with other estimates for the support of the Military Establishment.

Act October 1, 1890, c. 1266, s. 1, 26 Stat. 653.

Duties of Chief of Bureau.

SEC. 3. That the Chief of the Weather Bureau, under the direction of the Secretary of Agriculture, on and after July first, eighteen hundred and ninety-one, shall have charge of the forecasting of weather, the issue of storm warnings, the display of weather and flood signals for the benefit of agriculture, commerce, and navigation, the gauging and reporting of rivers, the maintenance and operation of sea-coast telegraph lines and the collection and transmission of marine intelligence for the benefit of commerce and navigation, the reporting of temperature and rain-fall conditions for the cotton interests, the display of frost and cold-wave signals, the distribution of meteorological information in the interests of agriculture and

commerce, and the taking of such meteorological observations as may be necessary to establish and record the climatic conditions of the United States, or as are essential for the proper execution of the foregoing duties.

Act October 1, 1890, c. 1266, s. 3, 26 Stat. 653.

Chief of Bureau and employees.

SEC. 4. That the Weather Bureau shall hereafter consist of one Chief of Weather Bureau and such civilian employees as Congress may annually provide for and as may be necessary to properly perform the duties devolving on said bureau by law, and the chief of said bureau shall receive an annual compensation of four thousand five hundred dollars, and be appointed by the President, by and with the advice and consent of the Senate: * * *

Act October 1, 1890, c. 1266, s. 4, 26 Stat. 653.

The portion of this section here omitted, relating to the detail of the Chief Signal Officer and other officers of the Army for duty in the Weather Bureau, is expressly repealed by Res. July 8, 1898, No. 57, 30 Stat. 752.

Subsequent agricultural appropriation acts provide an increased salary for the Chief of the Weather Bureau. The provision of the act for the fiscal year 1913 is set forth below.

Transfer of enlisted force of Signal Corps to Department of Agriculture.

SEC. 5. That the enlisted force of the Signal Corps, excepting those hereinafter provided for, shall be honorably discharged from the Army on June thirtieth, eighteen hundred and ninety-one, and such portion of this entire force, including the civilian employees of the Signal Service, as may be necessary for the proper performance of the duties of the Weather Bureau shall, if they so elect, be transferred to the Department of Agriculture, and the compensation of the force so transferred shall continue as it shall be in the Signal Service on June thirtieth, eighteen hundred and ninety-one, until otherwise provided by law: *Provided*, That skilled observers serving in the Signal Service at said date shall be entitled to preference over other persons not in the Signal Service for appointment in the Weather Bureau to places for which they may be properly qualified until the expiration of the time for which they were last enlisted.

Act October 1, 1890, c. 1266, s. 5, 26 Stat. 653.

Appropriations for Bureau.

SEC. 9. That on and after July first, eighteen hundred and ninety-one, the appropriations for the support of the Signal Corps of the Army shall be made with those of other staff corps of the Army, and the appropriations for the support of the Weather Bureau shall be made with those of the other bureaus of the Department of Agriculture, and it shall be the duty of the Secretary of Agriculture to prepare future estimates for the Weather Bureau which shall be hereafter specially developed and extended in the interests of agriculture.

Act October 1, 1890, c. 1266, s. 9, 26 Stat. 654.

This act and subsequent acts relating to the Weather Bureau supersede Rev. St. secs. 221-223, set forth below.

Appropriations for carrying into effect the provisions of this act are contained in the annual agricultural appropriation acts beginning with the fiscal year 1892.

Sections 2, 6, 7, and 8, here omitted, relate exclusively to the Signal Corps of the Army and are inapplicable to the Weather Bureau.

REV. ST. SEC. 221.

Meteorological observations, storm signals.

SEC. 221. The Secretary of War shall provide for taking meteorological observations at the military stations in the interior of the continent, and at other points in the States and Territories, and for giving notice on the northern lakes and sea-coast, by magnetic telegraph and marine signals, of the approach and force of storms.

This section is superseded by the provisions of act October 1, 1890, c. 1266, set forth above.

REV. ST. SEC. 222.

Signal-stations, reports, etc.

SEC. 222. The Secretary of War shall provide, in the system of observations and reports in charge of the Chief Signal-Officer of the Army, for such stations, reports, and signals as may be found necessary, for the benefit of agriculture and commercial interests.

See note under Rev. St. sec. 221, set forth above.

REV. ST. SEC. 223.

Telegraph lines connecting signal stations.

SEC. 223. The Secretary of War is authorized to establish signal-stations at light-houses and at such of the life-saving stations on the lake or sea-coast as may be suitably located for that purpose, and to connect the same with such points as may be necessary for the proper discharge of the signal-service by means of a suitable telegraph-line in cases where no lines are in operation, to be constructed, maintained, and worked under the direction of the Chief Signal-Officer of the Army, or the Secretary of War and the Secretary of the Treasury; and the use of the life-saving stations as signal-stations shall be subject to such regulations as may be agreed upon by said officials.

See note under Rev. St. sec. 221, set forth above.

ACT AUGUST 8, 1894, c. 238. (28 Stat. 264.)

Promotions of employees transferred from Signal Service.

* * * Weather Bureau * * * and the Secretary is hereby authorized to make promotions in the service without prejudice to those transferred from the Signal Service of the War Department.

Act August 8, 1894, c. 238, 28 Stat. 273.

This is a provision of the agricultural appropriation act for the fiscal year 1895, cited above. Provisions in the same words are contained in the similar appropriation acts for the fiscal years 1893 and 1894.

ACT MARCH 2, 1895, c. 169. (28 Stat. 727.)

Changes in personnel.

* * * the Secretary is hereby authorized to make such changes or assignment to duty in the personnel or detailed force of the Weather Bureau for limiting or reducing expenses as he may deem necessary.

Act March 2, 1895, c. 169, 28 Stat. 737.

This is a provision of the agricultural appropriation act for the fiscal year 1896, cited above. Similar provisions are contained in the similar appropriation acts for the previous fiscal years, beginning with 1892.

ACT APRIL 25, 1896, c. 140. (29 Stat. 99.)

Weather signals on mail cars.

That the Secretary of Agriculture, in cooperation with the Postmaster-General, may arrange a plan by which there shall be displayed on all cars and other conveyances used for transporting United States mail, suitable flags or other signals to indicate weather forecasts, cold-wave warnings, frost warnings, and so forth, to be furnished by the Chief of the Weather Bureau.

Act April 25, 1896, c. 140, 29 Stat. 108.

This is a provision of the agricultural appropriation act for the fiscal year 1897, cited above. Similar provisions are contained in the similar appropriation acts for the fiscal years 1895 and 1896.

ACT AUGUST 30, 1890, c. 837. (26 Stat. 371.)

Meteorological instruments for voluntary observers.

* * * the Secretary of War, as he may think proper, may cause to be issued such meteorological instruments (not exceeding one set valued at fifteen dollars to any one county) to voluntary unpaid observers, in order to secure meteorological data from such observers, under regulations to be prescribed by the Secretary of War, * * *

Act August 30, 1890, c. 837, s. 1, 26 Stat. 398.

This is a provision of the sundry civil appropriation act for the fiscal year 1891, cited above.

The weather service was transferred from the Signal Corps of the Army to the Department of Agriculture by act October 1, 1890, c. 1266, set forth on p. 33, *ante*.

ACT JUNE 17, 1910, c. 297. (36 Stat. 468.)

Meteorological data to be furnished by Weather Bureau to Hydrographic Office of Navy Department for pilot charts.

And hereafter the pilot charts prepared in the Hydrographic Office shall have conspicuously printed thereon the following: "Prepared from data furnished by the Hydrographic Office of the Navy Department and by the Weather Bureau of the Department of Agriculture, and published at the Hydrographic Office under the authority of the Secretary of the Navy;" and all meteorological information received by the Weather Bureau of the Department of Agriculture necessary for and of the character of such information heretofore used in the preparation of the pilot charts shall continue to be furnished with all possible expedition to the Hydrographic Office for use in the preparation of said charts; * * *

Act June 17, 1910, c. 297, 36 Stat. 508.

These are provisions of the legislative, executive, and judicial appropriation act for the fiscal year 1911, cited above.

ACT AUGUST 4, 1886, c. 903. (24 Stat. 256.)

Specific appropriations necessary for weather maps.

To pay * * * for making plates and publishing weather maps, * * * and hereafter none of such work shall be done except under specific appropriations therefor made in advance.

Act August 4, 1886, c. 903, 24 Stat. 266.

This is a provision of the deficiency appropriation act for the fiscal year 1886, cited above.

ACT JANUARY 12, 1895, c. 23. (28 Stat. 601.)

Printing office of the Weather Bureau.

Section 31 of the act cited, providing that all printing offices in the departments shall be a part of the Government Printing Office, and that all presses, etc., and supplies shall be furnished by, and all employees be under the control of, the Public Printer, with a proviso excepting the printing office of the Weather Bureau, is set forth on p. 363, *post*.

Printing of maps, charts, bulletins, and minor reports of Weather Bureau.

Section 89 of the act cited, providing certain limitations on the printing of reports, publications, and documents of the departments, with a proviso excepting therefrom maps, charts, bulletins, and minor reports of the Weather Bureau, is set forth on p. 24, *ante*.

ACT MARCH 4, 1907, c. 2907. (34 Stat. 1256.)

Sales of surplus maps and publications of Weather Bureau.

* * * hereafter the Secretary of Agriculture is authorized to sell any surplus maps or publications of the Weather Bureau, and the money received from such sales shall be deposited in the Treasury of the United States, section two hundred and twenty-seven of the Revised Statutes notwithstanding; * * *

Act March 4, 1907, c. 2907, 34 Stat. 1258.

This is a provision of the agricultural appropriation act for the fiscal year 1908, cited above.

Rev. St. sec. 227, mentioned in this provision, is set forth below.

REV. ST. SEC. 227.

Sale of surplus maps and publications of Signal Office.

SEC. 227. The Chief Signal-Officer may cause to be sold any surplus maps or publications of the Signal-Office, the money received therefor to be applied toward defraying the expenses of the signal-service; and an account of the same shall be rendered in each annual report of the Chief of the Signal-Service.

The weather service was transferred from the Signal Corps of the Army to the Department of Agriculture by act October 1, 1890, c. 1266, set forth on p. 33, *ante*, and the sale of surplus maps and publications of the Weather Bureau by the Secretary of Agriculture is authorized by a provision of act March 4, 1907, c. 2907, set forth above.

ACT MAY 25, 1900, c. 555. (31 Stat. 191.)

Destruction of old telegrams of Weather Bureau.

That hereafter all telegrams pertaining to the business of the Weather Bureau may be destroyed after they are three years old, and the accounts based thereon have been settled by the Treasury Department; and the present accumulation of these old telegrams may be destroyed.

Act May 25, 1900, c. 555, 31 Stat. 204.

This is a provision of the agricultural appropriation act for the fiscal year 1901, cited above.

ACT JANUARY 12, 1895, c. 23. (28 Stat. 601.)

Extra copies of the Annual Report of Chief of Weather Bureau.

SEC. 73. Extra copies of documents and reports shall be printed promptly when the same shall be ready for publication, and shall be bound in paper or cloth as directed by the Joint Committee on Print-

ing, and shall be of the number following in addition to the usual number:

* * * * * *

Of the Annual Report of the Chief of the Weather Bureau, four thousand copies; one thousand copies for the Senate, two thousand copies for the House, and one thousand copies for the Bureau.

Act January 12, 1895, c. 23, s. 73, 28 Stat. 612, 613.

A proviso, annexed to act January 12, 1895, c. 23, s. 89, set forth on p. 24, *ante*, authorizes the printing of maps, charts, bulletins, and minor reports of the Weather Bureau in such numbers as the Secretary of Agriculture may deem for the best interests of the Government.

Maps, weather reports, and weather cards are excepted from the provisions of act August 23, 1912, c. 350, s. 8, set forth on p. 370, *post*, under "Public Documents," forbidding expenditures for the work of distributing publications in the executive departments, and transferring such work to the Public Printer.

Appropriations for printing and binding for the Weather Bureau are made in the annual sundry civil appropriation acts. The provision of the act for the fiscal year 1913, act August 24, 1912, c. 355, is set forth on p. 229, *post*, under "Division of Publications."

ACT MARCH 4, 1909, c. 321. (35 Stat. 1088.)

Counterfeiting weather forecasts.

Sec. 61. Whoever shall knowingly issue or publish any counterfeit weather forecast or warning of weather conditions falsely representing such forecast or warning to have been issued or published by the Weather Bureau, United States Signal Service, or other branch of the Government service, shall be fined not more than five hundred dollars, or imprisoned not more than ninety days, or both.

Act March 4, 1909, c. 321, s. 61, 35 Stat. 1100.

This is a section of an act entitled "An act to codify, revise, and amend the penal laws of the United States." Provisions of act April 25, 1896, c. 140, 29 Stat. 108, act March 2, 1895, c. 169, 28 Stat. 737, and act August 8, 1894, c. 238, 28 Stat. 274, are incorporated in this section, and are expressly repealed by section 341 of said act March 4, 1909.

A provision in the same language and containing an additional clause making it likewise punishable to molest or interfere with any weather or storm flag or weather map or bulletin displayed or issued by the Weather Bureau, was enacted by act March 3, 1905, c. 1405, and is set forth below.

"This provision is not included among those mentioned as expressly repealed in said repealing section 341 of the Criminal Code, but a reference to it is noted in the margin of said section 61 thereof, in which the original provision is incorporated. It may be questioned, therefore, whether said additional provision first enacted in act March 3, 1905, c. 1405, is, within the meaning of the last clause of section 341 of the Criminal Code, 'embraced within and superseded by' said Code, as to be repealed thereby, or whether it is one of 'the remaining portions' of prior acts, which are to 'remain in force.'" (*Note, United States Compiled Statutes 1901, Supplement 1911.*)

ACT MARCH 3, 1905, c. 1405. (33 Stat. 861.)

Counterfeiting weather forecasts and molesting, etc., weather flags, maps, and bulletins.

Any person who shall knowingly issue or publish any counterfeit weather forecasts or warnings of weather conditions, falsely representing such forecasts or warnings to have been issued or published by the Weather Bureau, or other branch of the Government service, or shall molest or interfere with any weather or storm flag or weather map or bulletin displayed or issued by the United States Weather Bureau, shall be deemed guilty of a misdemeanor, and on conviction

thereof, for each offense, be fined in a sum not exceeding five hundred dollars, or be imprisoned not to exceed ninety days, or be both fined and imprisoned, in the discretion of the court.

Act March 3, 1905, c. 1405, 33 Stat. 864.

This is a provision enacted in the agricultural appropriation act for the fiscal year 1906. See act March 4, 1909, c. 321, s. 61, set forth above, and notes thereunder.

ACT AUGUST 10, 1912, c. 284. (37 Stat. 269.)

SALARIES, WEATHER BUREAU: One chief of bureau, six thousand dollars; one assistant chief of bureau, three thousand two hundred and fifty dollars; one chief clerk and executive assistant, three thousand dollars; three chiefs of division, at two thousand dollars each; eight clerks, class four; nine clerks, class three; twenty clerks, class two; twenty-nine clerks, class one; twenty clerks, at one thousand dollars each; nine clerks, at nine hundred dollars each; four copyists or typewriters, at nine hundred dollars each; one copyist or typewriter, eight hundred and forty dollars; one telegraph operator, one thousand two hundred dollars; two assistant foremen of division, at one thousand six hundred dollars each; one lithographer, one thousand five hundred dollars; three lithographers, at one thousand two hundred dollars each; five compositors, at one thousand two hundred and fifty dollars each; fourteen printers, at one thousand two hundred dollars each; eleven printers, at one thousand dollars each; four folders and feeders, at seven hundred and twenty dollars each; one chief mechanic, one thousand four hundred dollars; five skilled mechanics, at one thousand two hundred dollars each; seven skilled mechanics, at one thousand dollars each; one skilled mechanic, eight hundred and forty dollars; six skilled artisans, at eight hundred and forty dollars each; one engineer, one thousand three hundred dollars; one fireman and steam fitter, eight hundred and forty dollars; six firemen, at seven hundred and twenty dollars each; one captain of the watch, one thousand dollars; one electrician, one thousand dollars; one gardener, eight hundred and forty dollars; two repairmen, at eight hundred and forty dollars each; eight repairmen, at seven hundred and twenty dollars each; four watchmen, at seven hundred and twenty dollars each; seventeen messengers, messenger boys, or laborers, at seven hundred and twenty dollars each; six messengers, messenger boys, or laborers, at six hundred and sixty dollars each; twenty-seven messengers, messenger boys, or laborers, at six hundred dollars each; eighty-seven messengers, messenger boys, or laborers, at four hundred and eighty dollars each; five messengers, messenger boys, or laborers, at four hundred and fifty dollars each; twenty-seven messenger boys, at three hundred and sixty dollars each; one charwoman, three hundred and sixty dollars; three charwomen, at two hundred and forty dollars each; in all, three hundred and fifteen thousand nine hundred and thirty dollars.

CONTINGENT EXPENSES, WEATHER BUREAU: For fuel, lights, repairs, and other expenses for the care and preservation of the public buildings and grounds and the improvements of the existing public buildings of the Weather Bureau in the city of Washington; for stationery and blank books, furniture and repairs to same, and freight and express charges; for subsistence, care, and purchase of horses and vehicles, and repairs of harness, for official purposes only; for advertising, dry goods, twine, mats, oils, paints, glass, lumber, hardware,

ice, washing towels, and other miscellaneous supplies and expenses not otherwise provided for in the city of Washington, twenty-five thousand dollars.

GENERAL EXPENSES, WEATHER BUREAU: For carrying into effect in the District of Columbia and elsewhere in the United States, in the West Indies or on adjacent coasts, in the Hawaiian Islands, and in Bermuda, the provisions of an Act approved October first, eighteen hundred and ninety, so far as they relate to the weather service transferred thereby to the Department of Agriculture, and for every expenditure requisite for and incident to the establishment, equipment, and maintenance of meteorological observation stations, including cooperation with other bureaus of the Government and societies and institutions of learning for the dissemination of meteorological information, as follows:

For the employment of professors of meteorology, inspectors, district forecasters, local forecasters, section directors, research observers, observers, assistant observers, operators, skilled mechanics, repairmen, station agents, messengers, messenger boys, laborers, and other necessary employees, five hundred and sixty-nine thousand dollars;

For fuel, gas, electricity, freight and express charges, furniture, stationery, and all other necessary supplies and miscellaneous expenses, one hundred and five thousand five hundred dollars;

For instruments, shelters, apparatus, storm-warning towers, and repairs thereto, forty-two thousand five hundred dollars;

For rent of offices and repairs and improvements to buildings now completed and located outside of the District of Columbia, and care and preservation of grounds, including construction of necessary out-buildings and sidewalks on public streets abutting Weather Bureau grounds, ninety-nine thousand dollars;

For official traveling expenses, twenty-two thousand dollars;

For telephone rentals and for telegraphing, telephoning, and cabling reports and messages, rates to be fixed by the Secretary of Agriculture by agreements with the companies performing the service, three hundred and five thousand dollars;

For the maintenance and repair of Weather Bureau telegraph, telephone, and cable lines, four thousand dollars;

For investigations in climatology and evaporation, including the erection of temporary buildings for living quarters for observers, for river, rain, snow, ice, crop, evaporation, aerial, storm, hurricane, and other observations, warnings, and reports, and for pay of special observers and display men, one hundred and fifteen thousand dollars;

For the maintenance of a printing office in the city of Washington, including the purchase of necessary supplies and materials for printing weather maps, bulletins, circulars, forms, and other publications, and for pay of additional assistant foremen, proof readers, compositors, pressmen, lithographers, and folders and feeders, when necessary, sixteen thousand seven hundred and fifty dollars;

In all, for general expenses, one million two hundred and seventy-eight thousand seven hundred and fifty dollars.

Total for Weather Bureau, one million six hundred and nineteen thousand six hundred and eighty dollars.

Act August 10, 1912, c. 284, 37 Stat. 270.

These are provisions of the agricultural appropriation act for the fiscal year 1913, cited above.

BUREAU OF ANIMAL INDUSTRY.

ACT MAY 29, 1884, c. 60. An act for the establishment of a Bureau of Animal Industry, to prevent the exportation of diseased cattle, and to provide means for the suppression and extirpation of pleuro-pneumonia and other contagious diseases among domestic animals. (23 Stat. 31.)

Establishment of the Bureau.

That the Commissioner of Agriculture shall organize in his Department a Bureau of Animal Industry, and shall appoint a Chief thereof, who shall be a competent veterinary surgeon, and whose duty it shall be to investigate and report upon the condition of the domestic animals of the United States, their protection and use, and also inquire into and report the causes of contagious, infectious, and communicable diseases among them, and the means for the prevention and cure of the same, and to collect such information on these subjects as shall be valuable to the agricultural and commercial interests of the country; and the Commissioner of Agriculture is hereby authorized to employ a force sufficient for this purpose, not to exceed twenty persons at any one time. The salary of the Chief of said Bureau shall be three thousand dollars per annum; and the Commissioner shall appoint a clerk for said Bureau, with a salary of one thousand five hundred dollars per annum.

Act May 29, 1884, c. 60, s. 1, 23 Stat. 31.

The designation of the Commissioner of Agriculture is changed by the organization of the department as an executive department under a Secretary of Agriculture, by act February 9, 1889, c. 122, s. 1, set forth on p. 9, *ante*. The authority granted to the Commissioner of Agriculture by this act is vested in the Secretary of Agriculture by act July 14, 1890, c. 707, set forth on p. 11, *ante*.

The last portion of this section providing for the salary of the Chief of the Bureau and the appointment and salary of a clerk, is superseded by subsequent agricultural appropriation acts providing for increased salary for the Chief of the Bureau and for other officers, clerks, and employees and their salaries, from time to time, increasing with the growth and the extension of the scope and functions of the bureau. The appropriations for the salary of the Chief of the Bureau and other officers, clerks, and employees of the bureau, in the appropriation act for the fiscal year 1913, are set forth on p. 71, *post*.

Agents; duties.

SEC. 2. That the Commissioner of Agriculture is authorized to appoint two competent agents, who shall be practical stock-raisers or experienced business men familiar with questions pertaining to commercial transactions in live stock, whose duty it shall be, under the instructions of the Commissioner of Agriculture, to examine and report upon the best methods of treating, transporting, and caring for animals, and the means to be adopted for the suppression and extirpation of contagious pleuro-pneumonia, and to provide against the spread of other dangerous contagious, infectious, and communicable diseases. The compensation of said agents shall be at the rate of ten dollars per diem, with all necessary expenses, while engaged in the actual performance of their duties under this act, when absent from their usual place of business or residence as such agent.

Act May 29, 1884, c. 60, s. 2, 23 Stat. 31.

See note under section 1 of this act as to change of designation of Commissioner to Secretary of Agriculture.

The provisions of this section for the appointment and compensation of two agents are superseded by appropriations of subsequent agricultural appropriation acts. The provisions of the act for the fiscal year 1913, are set forth on p. 71, *post*.

Rules and regulations for suppression and extirpation of diseases; cooperation of States and Territories.

SEC. 3. That it shall be the duty of the Commissioner of Agriculture to prepare such rules and regulations as he may deem necessary for the speedy and effectual suppression and extirpation of said diseases, and to certify such rules and regulations to the executive authority of each State and Territory, and invite said authorities to co-operate in the execution and enforcement of this act. Whenever the plans and methods of the Commissioner of Agriculture shall be accepted by any State or Territory in which pleuro-pneumonia or other contagious, infectious, or communicable disease is declared to exist, or such State or Territory shall have adopted plans and methods for the suppression and extirpation of said diseases, and such plans and methods shall be accepted by the Commissioner of Agriculture, and whenever the governor of a State or other properly constituted authorities signify their readiness to co-operate for the extinction of any contagious, infectious, or communicable disease in conformity with the provisions of this act, the Commissioner of Agriculture is hereby authorized to expend so much of the money appropriated by this act as may be necessary in such investigations, and in such disinfection and quarantine measures as may be necessary to prevent the spread of the disease from one State or Territory into another.

Act May 29, 1884, c. 60, s. 3, 23 Stat. 32.

See note under section 1 of this act as to change of designation of Commissioner to Secretary of Agriculture.

Investigation as to pleuro-pneumonia and other contagious, etc., diseases; regulations.

SEC. 4. That in order to promote the exportation of live stock from the United States the Commissioner of Agriculture shall make special investigation as to the existence of pleuro-pneumonia, or any contagious, infectious, or communicable disease, along the dividing-lines between the United States and foreign countries, and along the lines of transportation from all parts of the United States to ports from which live stock are exported, and make report of the results of such investigation to the Secretary of the Treasury, who shall, from time to time, establish such regulations concerning the exportation and transportation of live stock as the results of said investigations may require.

Act May 29, 1884, c. 60, s. 4, 23 Stat. 32.

See note under section 1 of this act as to change of designation of Commissioner to Secretary of Agriculture.

The powers conferred on the Secretary of the Treasury by this and the following section are conferred on the Secretary of Agriculture, to be exercised exclusively by him, by provisions of act February 2, 1903, c. 349, s. 1, set forth below:

Inspection of neat cattle, sheep, and other ruminants, and swine, for exportation, and disinfection of vessels, etc., is authorized by act August 30, 1890, c. 839, s. 10, set forth on p. 50, *post*; inspection and certification of cattle for exportation is authorized by act March 3, 1891, c. 555, s. 1, set forth on p. 55, *post*; and provisions for rules and regulations concerning the exportation of live stock, and for the inspection and certification of live stock for exportation, are contained in act February 2, 1903, c. 349, s. 1, set forth below.

Measures to prevent exportation of diseased live stock, authorized.

SEC. 5. That to prevent the exportation from any port of the United States to any port in a foreign country of live stock affected with any contagious, infectious, or communicable disease, and especially pleuro-pneumonia, the Secretary of the Treasury be, and he is hereby, authorized to take such steps and adopt such measures, not inconsistent with the provisions of this act, as he may deem necessary.

Act May 29, 1884, c. 60, s. 5, 23 Stat. 32.

See notes under section 4 of this act.

Transportation of diseased live stock prohibited; splenetic fever not considered contagious, etc.

SEC. 6. That no railroad company within the United States, or the owners or masters of any steam or sailing or other vessel or boat, shall receive for transportation or transport, from one State or Territory to another, or from any State into the District of Columbia, or from the District into any State, any live stock affected with any contagious, infectious, or communicable disease, and especially the disease known as pleuro-pneumonia; nor shall any person, company, or corporation deliver for such transportation to any railroad company, or master or owner of any boat or vessel, any live stock, knowing them to be affected with any contagious, infectious, or communicable disease; nor shall any person, company, or corporation drive on foot or transport in private conveyance from one State or Territory to another, or from any State into the District of Columbia, or from the District into any State, any live stock, knowing them to be affected with any contagious, infectious, or communicable disease, and especially the disease known as pleuro-pneumonia: *Provided*, That the so-called splenetic or Texas fever shall not be considered a contagious, infectious, or communicable disease within the meaning of sections four, five, six and seven of this act, as to cattle being transported by rail to market for slaughter, when the same are unloaded only to be fed and watered in lots on the way thereto.

Act May 29, 1884, c. 60, s. 6, 23 Stat. 32.

Provisions for rules and regulations concerning the exportation of live stock, and for the inspection and certification of live stock for exportation, are contained in act February 2, 1903, c. 349, s. 1, set forth below.

Provisions for the establishment of quarantine of any State or Territory or the District of Columbia, or any portion of any of them, when cattle or other live stock therein are affected with any contagious, etc., disease, and the making and promulgation of regulations in regard thereto, and prohibiting the interstate movement of cattle or other live stock from such quarantined areas except under such regulations, are contained in act March 3, 1905, c. 1496, set forth below.

Notice to railroads, etc., in infected localities; transportation of diseased live stock; penalty.

SEC. 7. That it shall be the duty of the Commissioner of Agriculture to notify, in writing, the proper officials or agents of any railroad, steamboat, or other transportation company doing business in or through any infected locality, and by publication in such newspapers as he may select, of the existence of said contagion; and any person or persons operating any such railroad, or master or owner of any boat or vessel, or owner or custodian of or person having control over such cattle or other live stock within such infected district, who shall knowingly violate the provisions of section six of this act, shall be guilty of a misdemeanor, and, upon conviction, shall

be punished by a fine of not less than one hundred nor more than five thousand dollars, or by imprisonment for not more than one year, or by both such fine and imprisonment.

Act May 29, 1884, c. 60, s. 7, 23 Stat. 32.

Subsequent provisions for the establishment of quarantine of any State or Territory or the District of Columbia, or any portion of any of them, when cattle or other live stock therein are affected with any contagious, etc., disease, and notice thereof to railroads, etc., are contained in act March 3, 1905, c. 1496, s. 1, set forth below.

Pleuro-pneumonia and other contagious, etc., diseases in District of Columbia.

SEC. 8. That whenever any contagious, infectious, or communicable disease affecting domestic animals, and especially the disease known as pleuro-pneumonia, shall be brought into or shall break out in the District of Columbia, it shall be the duty of the Commissioners of said District to take measures to suppress the same promptly and to prevent the same from spreading; and for this purpose the said Commissioners are hereby empowered to order and require that any premises, farm, or farms, where such disease exists, or has existed, be put in quarantine; to order all or any animals coming into the District to be detained at any place or places for the purpose of inspection and examination; to prescribe regulations for and to require the destruction of animals affected with contagious, infectious, or communicable disease, and for the proper disposition of their hides and carcasses; to prescribe regulations for disinfection, and such other regulations as they may deem necessary to prevent infection or contagion being communicated, and shall report to the Commissioner of Agriculture whatever they may do in pursuance of the provisions of this section.

Act May 29, 1884, c. 60, s. 8, 23 Stat. 33.

Subsequent provisions authorizing measures to prevent the introduction or dissemination of contagious, etc., diseases of animals in the District of Columbia, and the seizure, etc., of material, meats, hides, etc., from infected areas, are contained in act February 2, 1903, c. 349, s. 2, set forth below.

Duty of district attorneys to prosecute violations.

SEC. 9. That it shall be the duty of the several United States district attorneys to prosecute all violations of this act which shall be brought to their notice or knowledge by any person making the complaint under oath; and the same shall be heard before any district or circuit court of the United State[s] or Territorial court holden within the district in which the violation of this act has been committed.

Act May 29, 1884, c. 60, s. 9, 23 Stat. 33.

Report to Congress of expenditures under act, and means adopted for the suppression of contagious, etc., diseases.

SEC. 11. That the Commissioner of Agriculture shall report annually to Congress, at the commencement of each session, a list of the names of all persons employed, an itemized statement of all expenditures under this act, and full particulars of the means adopted and carried into effect for the suppression of contagious, infectious, or communicable diseases among domestic animals.

Act May 29, 1884, c. 60, s. 11, 23 Stat. 33.

Section 10 of this act, making an appropriation for carrying into effect the provisions of the act, is here omitted as temporary.

Annual appropriations for carrying out the provisions of this act are contained in the agricultural appropriation acts for the fiscal years 1886 and thereafter. The provision in the act for the fiscal year 1913 is set forth on p. 72, *post*.

ACT AUGUST 10, 1912, c. 284. (37 Stat. 269.)

Sale or exchange of breeding animals or animal products produced or purchased under appropriations by Congress; deposit in Treasury of moneys received from sales.

And hereafter the Secretary of Agriculture is authorized to sell in the open market or to exchange for other breeding animals or animal products to the best advantage, without the usual condemnation proceedings and public auction, such animals or animal products produced or purchased under the appropriations made by Congress for the use of the Bureau of Animal Industry as may not be needed in the work of that bureau: *Provided*, That all moneys received from the sale of such animals or animal products, or as a bonus in the exchange of the same, shall be deposited in the Treasury as miscellaneous receipts.

Act August 10, 1912, c. 284, 37 Stat. 274.

This is a provision of the agricultural appropriation act for the fiscal year 1913, cited above.

ACT FEBRUARY 2, 1903, c. 349. An act to enable the Secretary of Agriculture to more effectually suppress and prevent the spread of contagious and infectious diseases of live stock, and for other purposes. (32 Stat. 791.)

Regulation of the exportation and transportation of infected live stock by Secretary of Agriculture; shipments after inspection; fees; supervision of Bureau of Animal Industry.

That in order to enable the Secretary of Agriculture to effectually suppress and extirpate contagious pleuropneumonia, foot and mouth disease, and other dangerous contagious, infectious, and communicable diseases in cattle and other live stock, and to prevent the spread of such diseases, the powers conferred on the Secretary of the Treasury by sections four and five of an Act entitled "An Act for the establishment of a Bureau of Animal Industry, to prevent the exportation of diseased cattle, and to provide means for the suppression and extirpation of pleuropneumonia and other contagious diseases among domestic animals," approved May twenty-ninth, eighteen hundred and eighty-four (twenty-third United States Statutes, thirty-one), are hereby conferred on the Secretary of Agriculture, to be exercised exclusively by him. He is hereby authorized and directed, from time to time, to establish such rules and regulations concerning the exportation and transportation of live stock from any place within the United States where he may have reason to believe such diseases may exist into and through any State or Territory, including the Indian Territory, and into and through the District of Columbia and to foreign countries, as he may deem necessary, and all such rules and regulations shall have the force of law. Whenever any inspector or assistant inspector of the Bureau of Animal Industry shall issue a certificate showing that such officer had inspected any cattle or other live stock which were about to be shipped, driven, or transported from such locality to another, as above stated, and had found them free from Texas or splenic fever infection, pleuropneumonia, foot and mouth disease, or any other infectious, contagious, or communicable disease, such animals, so inspected and certified, may

be shipped, driven, or transported from such place into and through any State or Territory, including the Indian Territory, and into and through the District of Columbia, or they may be exported from the United States without further inspection or the exaction of fees of any kind, except such as may at any time be ordered or exacted by the Secretary of Agriculture; and all such animals shall at all times be under the control and supervision of the Bureau of Animal Industry of the Agricultural Department for the purposes of such inspection.

Act February 2, 1903, c. 349, s. 1, 32 Stat. 791.

Act May 29, 1884, c. 60, mentioned in this section, is set forth above.

Subsequent provisions for the establishment of quarantine of any State or Territory or the District of Columbia, or any portion of any of them, when cattle or other live stock therein are affected with any contagious, etc., disease, and the making and promulgation of regulations in regard thereto, and prohibiting the interstate movement of cattle from such quarantined areas except under such regulations, are contained in act March 3, 1905, c. 1496, set forth below.

Regulations and measures to prevent contagious, etc., diseases.

SEC. 2. That the Secretary of Agriculture shall have authority to make such regulations and take such measures as he may deem proper to prevent the introduction or dissemination of the contagion of any contagious, infectious, or communicable disease of animals from a foreign country into the United States or from one State or Territory of the United States or the District of Columbia to another, and to seize, quarantine, and dispose of any hay, straw, forage, or similar material, or any meats, hides, or other animal products coming from an infected foreign country to the United States, or from one State or Territory or the District of Columbia in transit to another State or Territory or the District of Columbia whenever in his judgment such action is advisable in order to guard against the introduction or spread of such contagion.

Act February 2, 1903, c. 349, s. 2, 32 Stat. 792.

See notes under section 1 of this act.

Violations of act; penalty.

SEC. 3. That any person, company, or corporation knowingly violating the provisions of this Act or the orders or regulations made in pursuance thereof shall be guilty of a misdemeanor, and on conviction shall be punished by a fine of not less than one hundred dollars nor more than one thousand dollars, or by imprisonment not more than one year, or by both such fine and imprisonment.

Act February 2, 1903, c. 349, s. 3, 32 Stat. 792.

See notes under section 1 of this act.

Appropriations for carrying out the provisions of this act are contained in the annual agricultural appropriation acts, beginning with the act for the fiscal year 1905. The appropriation in the act for the fiscal year 1913 is set forth on p. 72, *post*.

ACT MARCH 3, 1905, c. 1496. An act to enable the Secretary of Agriculture to establish and maintain quarantine districts, to permit and regulate the movement of cattle and other live stock therefrom, and for other purposes. (33 Stat. 1264.)

Quarantine of State or Territory, etc., or portions thereof, where cattle or other live stock are affected with contagious, etc., disease; notice of quarantine.

That the Secretary of Agriculture is authorized and directed to quarantine any State or Territory or the District of Columbia, or any

portion of any State or Territory or the District of Columbia, when he shall determine the fact that cattle or other live stock in such State or Territory or District of Columbia are affected with any contagious, infectious, or communicable disease; and the Secretary of Agriculture is directed to give written or printed notice of the establishment of quarantine to the proper officers of railroad, steamboat, or other transportation companies doing business in or through any quarantined State or Territory or the District of Columbia, and to publish in such newspapers in the quarantined State or Territory or the District of Columbia, as the Secretary of Agriculture may select, notice of the establishment of quarantine.

Act March 3, 1905, c. 1496, s. 1, 33 Stat. 1264.

Provisions for the investigation of contagious, etc., diseases among live stock, the regulation of the exportation and transportation of infected live stock, and the prevention of the spread of such diseases among live stock, are contained in act May 29, 1884, c. 60, and act February 2, 1903, c. 349, set forth above.

Transportation, etc., from quarantined State or Territory, etc., or portion thereof, of cattle or other live stock, forbidden.

SEC. 2. That no railroad company or the owners or masters of any steam or sailing or other vessel or boat shall receive for transportation or transport from any quarantined State or Territory or the District of Columbia, or from the quarantined portion of any State or Territory or the District of Columbia, into any other State or Territory or the District of Columbia, any cattle or other live stock, except as hereinafter provided; nor shall any person, company, or corporation deliver for such transportation to any railroad company, or to the master or owner of any boat or vessel, any cattle or other live stock, except as hereinafter provided; nor shall any person, company, or corporation drive on foot, or cause to be driven on foot, or transport in private conveyance or cause to be transported in private conveyance, from a quarantined State or Territory or the District of Columbia, or from the quarantined portion of any State or Territory or the District of Columbia, into any other State or Territory or the District of Columbia, any cattle or other live stock, except as hereinafter provided.

Act March 3, 1905, c. 1496, s. 2, 33 Stat. 1264.

Regulations for inspection, disinfection, certification, etc., and method, etc., of shipment, etc., of cattle or other live stock from quarantined State or Territory, etc., or portion thereof; notice of regulations.

SEC. 3. That it shall be the duty of the Secretary of Agriculture, and he is hereby authorized and directed, when the public safety will permit, to make and promulgate rules and regulations which shall permit and govern the inspection, disinfection, certification, treatment, handling, and method and manner of delivery and shipment of cattle or other live stock from a quarantined State or Territory or the District of Columbia, and from the quarantined portion of any State or Territory or the District of Columbia, into any other State or Territory or the District of Columbia; and the Secretary of Agriculture shall give notice of such rules and regulations in the manner provided in section two of this Act for notice of establishment of quarantine.

Act March 3, 1905, c. 1496, s. 3, 33 Stat. 1265.

Moving cattle or other live stock from quarantined State or Territory, etc., or portion thereof, under regulations therefor.

SEC. 4. That cattle or other live stock may be moved from a quarantined State or Territory or the District of Columbia, or from the quarantined portion of any State or Territory or the District of Columbia, into any other State or Territory or the District of Columbia, under and in compliance with the rules and regulations of the Secretary of Agriculture, made and promulgated in pursuance of the provisions of section three of this Act; but it shall be unlawful to move, or to allow to be moved, any cattle or other live stock from any quarantined State or Territory or the District of Columbia, or from the quarantined portion of any State or Territory or the District of Columbia, into any other State or Territory or the District of Columbia, in manner or method or under conditions other than those prescribed by the Secretary of Agriculture.

Act March 3, 1905, c. 1496, s. 4, 33 Stat. 1265.

Molesting officers or employees of Bureau of Animal Industry in execution of duties; punishment.

SEC. 5. That every person who forcibly assaults, resists, opposes, prevents, impedes, or interferes with any officer or employee of the Bureau of Animal Industry of the United States Department of Agriculture in the execution of his duties, or on account of the execution of his duties, shall be fined not less than one hundred dollars nor more than one thousand dollars, or be imprisoned not less than one month nor more than one year, or by both such fine and imprisonment; and every person who discharges any deadly weapon at any officer or employee of the Bureau of Animal Industry of the United States Department of Agriculture, or uses any dangerous or deadly weapon in resisting him in the execution of his duties, with intent to commit a bodily injury upon him or to deter or prevent him from discharging his duties, or on account of the performance of his duties, shall, upon conviction, be imprisoned at hard labor for a term not more than five years or fined not to exceed one thousand dollars.

Act March 3, 1905, c. 1496, s. 5, 33 Stat. 1265.

The provisions of this section are incorporated in an act entitled "An act to codify, revise, and amend the penal laws of the United States," act March 4, 1909, c. 321, s. 62, set forth on p. 70, *post*.

Violations of provisions of sections 2 or 4 of act; penalty.

SEC. 6. That any person, company, or corporation violating the provisions of sections two or four of this Act shall be guilty of a misdemeanor, and on conviction shall be punished by a fine of not less than one hundred dollars nor more than one thousand dollars, or by imprisonment not more than one year, or by both such fine and imprisonment.

Act March 3, 1905, c. 1496, s. 6, 33 Stat. 1265.

Appropriations for carrying out the provisions of this act are contained in the agricultural appropriation acts for the fiscal years 1907 and thereafter. The appropriation in the act for the fiscal year 1913 is set forth on p. 72, *post*.

ACT AUGUST 30, 1890, c. 839. (26 Stat. 414.)

Importation of diseased or infected neat cattle, sheep, and other ruminants, prohibited; penalty.

SEC. 6. That the importation of neat cattle, sheep, and other ruminants, and swine, which are diseased or infected with any disease, or

which shall have been exposed to such infection within sixty days next before their exportation, is hereby prohibited; and any person who shall knowingly violate the foregoing provision shall be deemed guilty of a misdemeanor, and shall, on conviction, be punished by a fine not exceeding five thousand dollars, or by imprisonment not exceeding three years, and any vessel or vehicle used in such unlawful importation with the knowledge of the master or owner of said vessel or vehicle that such importation is diseased or has been exposed to infection as herein described, shall be forfeited to the United States.

Act August 30, 1890, c. 839, s. 6, 26 Stat. 416.

Provisions authorizing the President to suspend the prohibition of the importation of neat cattle, domestic animals, and hides from foreign countries or parts thereof, upon certification by the Secretary of Agriculture that such countries or parts thereof are free from contagious, etc., diseases, are contained in act April 23, 1897, c. 1, set forth on p. 52, *post*.

Other provisions prohibiting the importation of neat cattle or hides thereof from foreign countries, and authorizing the suspension of such prohibition as to such foreign countries or parts thereof whenever the Secretary of the Treasury shall determine such importation will not tend to introduction or spread of contagious, etc., diseases among cattle, are contained in act August 5, 1909, c. 6, set forth on p. 51, *post*.

Provisions authorizing regulations and measures to prevent introduction or dissemination of contagious, etc., diseases from foreign countries, and the seizure, quarantine, and disposal of materials, meats, and hides, etc., from infected countries, are contained in act February 2, 1903, c. 349, s. 2, set forth on p. 46, *ante*.

A provision authorizing the erection of fences along international boundary lines for keeping out diseased animals, is contained in act May 26, 1910, c. 256, set forth on p. 52, *post*.

Quarantine of imported neat cattle, sheep, and other ruminants, and swine.

SEC. 7. That the Secretary of Agriculture be, and is hereby, authorized, at the expense of the owner, to place and retain in quarantine all neat cattle, sheep, and other ruminants, and all swine, imported into the United States, at such ports as he may designate for such purpose, and under such conditions as he may by regulation prescribe, respectively, for the several classes of animals above described; and for this purpose he may have and maintain possession of all lands, buildings, animals, tools, fixtures, and appurtenances now in use for the quarantine of neat cattle, and hereafter purchase, construct, or rent as may be necessary, and he may appoint veterinary surgeons, inspectors, officers, and employees by him deemed necessary to maintain such quarantine, and provide for the execution of the other provisions of this act.

Act August 30, 1890, c. 839, s. 7, 26 Stat. 416.

See notes under section 6 of this act.

Importation of diseased or infected cattle, sheep, and other ruminants, and swine, except at quarantine ports, prohibited; slaughter of infected animals; appraisal; payment.

SEC. 8. That the importation of all animals described in this act into any port in the United States, except such as may be designated by the Secretary of Agriculture, with the approval of the Secretary of the Treasury, as quarantine stations, is hereby prohibited; and the Secretary of Agriculture may cause to be slaughtered such of the animals named in this act as may be, under regulations prescribed by him, adjudged to be infected with any contagious disease, or to have been exposed to infection so as to be dangerous to other animals;

and that the value of animals so slaughtered as being so exposed to infection but not infected may be ascertained by the agreement of the Secretary of Agriculture and owners thereof, if practicable; otherwise, by the appraisal by two persons familiar with the character and value of such property, to be appointed by the Secretary of Agriculture, whose decision, if they agree, shall be final; otherwise, the Secretary of Agriculture shall decide between them, and his decision shall be final; and the amount of the value thus ascertained shall be paid to the owner thereof out of money in the Treasury appropriated for the use of the Bureau of Animal Industry; but no payment shall be made for any animal imported in violation of the provisions of this act. If any animal[s] subject to quarantine according to the provisions of this act are brought into any port of the United States where no quarantine station is established the collector of such port shall require the same to be conveyed by the vessel on which they are imported or are found to the nearest quarantine station, at the expense of the owner.

Act August 30, 1890, c. 839, s. 8, 26 Stat. 416.

See notes under section 6 of this act.

Suspension of importation of all animals.

SEC. 9. That whenever, in the opinion of the President, it shall be necessary for the protection of animals in the United States against infectious or contagious diseases, he may, by proclamation, suspend the importation of all or any class of animals for a limited time, and may change, modify, revoke, or renew such proclamation, as the public good may require; and during the time of such suspension the importation of any such animals shall be unlawful.

Act August 30, 1890, c. 839, s. 9, 26 Stat. 416.

See notes under section 6 of this act.

Inspection of imported animals; inspection of animals for exportation.

SEC. 10. That the Secretary of Agriculture shall cause careful inspection to be made by a suitable officer of all imported animals described in this act, to ascertain whether such animals are infected with contagious diseases or have been exposed to infection so as to be dangerous to other animals, which shall then either be placed in quarantine or dealt with according to the regulations of the Secretary of Agriculture; and all food, litter, manure, clothing, utensils, and other appliances that have been so related to such animals on board ship as to be judged liable to convey infection shall be dealt with according to the regulations of the Secretary of Agriculture; and the Secretary of Agriculture may cause inspection to be made of all animals described in this act intended for exportation, and provide for the disinfection of all vessels engaged in the transportation thereof, and of all barges or other vessels used in the conveyance of such animals intended for export to the ocean steamer or other vessels, and of all attendants and their clothing, and of all head-ropes and other appliances used in such exportation, by such orders and regulations as he may prescribe; and if, upon such inspection, any such animals shall be adjudged, under the regulations of the Secretary of Agriculture, to be infected or to have been exposed to infection so as to be dangerous to other animals, they shall not be allowed to be placed upon any vessel for exportation; the expense of all the inspec-

tion and disinfection provided for in this section to be borne by the owners of the vessels on which such animals are exported.

Act August 30, 1890, c. 839, s. 10, 26 Stat. 417.

Section 1 of this act, relating to the inspection and certification of salted pork and bacon for exportation, is set forth on p. 53, *post*.

Sections 2-5 of this act relate to the importation of adulterated food, drugs, and liquors, and are set forth on p. 184, *post*, under "Bureau of Chemistry."

This act is amended by a provision of act March 4, 1911, c. 238, set forth below, to permit admission of tick-infested cattle from Mexico, within the discretion of the Secretary of Agriculture and under joint regulations of the Secretary of Agriculture and Secretary of the Treasury.

Appropriations for carrying out the provisions of this act "providing for an inspection of meats and animals," were made in the agricultural appropriation acts for the fiscal years 1892 to 1906, inclusive. No appropriations for the enforcement of the act were made in the similar acts for the subsequent fiscal years 1907 to 1909, inclusive, but in the acts for the fiscal year 1910 and each year thereafter appropriations are contained for carrying out the provisions of the act "providing for the importation of animals into the United States." The appropriation in the agricultural act for the fiscal year 1913 is set forth on p. 72, *post*.

ACT MARCH 4, 1911, c. 238. (36 Stat. 1235.)

Amendment of act August 30, 1890, c. 839; admission of tick-infested cattle from Mexico into part of Texas.

The Act of August thirtieth, eighteen hundred and ninety, is hereby amended so as to authorize the Secretary of Agriculture, within his discretion, and under such joint regulations as may be prescribed by the Secretary of Agriculture and the Secretary of the Treasury, to permit the admission of tick-infested cattle from Mexico into that part of Texas below the southern cattle quarantine line; * * *

Act March 4, 1911, c. 238, 36 Stat. 1240.

This is a provision of the agricultural appropriation act for the fiscal year 1912, cited above.

The provisions of act August 30, 1890, c. 839, mentioned in and amended by this provision, are set forth above.

ACT AUGUST 5, 1909, c. 6. (36 Stat. 11.)

Importation of neat cattle and hides thereof prohibited; suspension of prohibition.

SEC. 12. That the importation of neat cattle and the hides of neat cattle from any foreign country into the United States is prohibited: *Provided*, That the operation of this section shall be suspended as to any foreign country or countries, or any parts of such country or countries, whenever the Secretary of the Treasury shall officially determine, and give public notice thereof that such importation will not tend to the introduction or spread of contagious or infectious diseases among the cattle of the United States; and the Secretary of the Treasury is hereby authorized and empowered, and it shall be his duty, to make all necessary orders and regulations to carry this section into effect, or to suspend the same as herein provided, and to send copies thereof to the proper officers in the United States and to such officers or agents of the United States in foreign countries as he shall judge necessary.

Act August 5, 1909, c. 6, s. 12, 36 Stat. 86.

This and the next following section are sections of the tariff act of 1909. Provisions in the same language, contained in the tariff act of 1897, act July 24, 1897, c. 11, ss. 25, 26, are superseded by these sections.

Other provisions authorizing the President to suspend the prohibition of the importation of neat cattle, domestic animals, and hides from foreign countries or parts thereof, upon certification by the Secretary of Agriculture that such countries or parts thereof are free from contagious, etc., diseases, are contained in act April 23, 1897, c. 1, set forth below.

Provisions prohibiting the importation of diseased or infected neat cattle, sheep, and other ruminants, and swine, and providing for quarantine and inspection of imported animals, and suspension of importation by the President, are contained in act August 30, 1890, c. 839, ss. 6-10, set forth above.

Violation of provisions of preceding section; penalty.

SEC. 13. That any person convicted of a willful violation of any of the provisions of the preceding section shall be fined not exceeding five hundred dollars, or imprisoned not exceeding one year, or both, in the discretion of the court.

Act August 5, 1909, c. 6, s. 13, 36 Stat. 87.

See notes under preceding section of this act.

ACT MAY 26, 1910, c. 256. (36 Stat. 416.)

Fences along international boundaries to keep out diseased animals.

Hereafter the Secretary of Agriculture may permit the erection of fences along international boundary lines, but entirely within the territory of the United States, for the purpose of keeping out diseased animals.

Act May 26, 1910, c. 256, 36 Stat. 440.

This is a provision of the agricultural appropriation act for the fiscal year 1911, cited above.

ACT APRIL 23, 1897, c. 1. (30 Stat. 1.)

Suspension of prohibition of importation of neat cattle, domestic animals, and hides.

That whenever the Secretary of Agriculture shall certify to the President of the United States what countries or parts of countries are free from contagious or infectious diseases of domestic animals, and that neat cattle, domestic animals, and hides can be imported from such countries without danger to the domestic animals of the United States, the President of the United States may suspend the prohibition of the importation of neat cattle, domestic animals, and hides in the manner provided by law. That the President be, and he is hereby, authorized to cause correspondence and negotiation to be had, through the Department of State or otherwise, with the authorities of the Kingdom of Great Britain for the purpose of securing the abrogation or modification of the regulations now enforced by said authorities which require cattle imported into Great Britain from the United States of America to be slaughtered at the port of entry, and prohibiting the same from being carried alive to other places in said Kingdom.

Act April 23, 1897, c. 1, 30 Stat. 7. .

This paragraph, and a paragraph providing for the determination and the certification to the Secretary of the Treasury, of pure-bred animals for importation, are contained in the agricultural appropriation act for the fiscal year 1898, and similar provisions are contained in the similar appropriation acts for previous fiscal years. The provision for the determination and the certification to the Secretary of the Treasury of pure-bred animals for importation, is superseded by a proviso in a paragraph of the tariff act of 1909, act August 5, 1909, c. 6, s. 1, par. 492, set forth below.

ACT AUGUST 5, 1909, c. 6. (36 Stat. 11.)

Animals imported for breeding purposes; determination and certification of pure-bred animals for importation.

492. Any animal imported by a citizen of the United States specially for breeding purposes shall be admitted free, whether intended to be so used by the importer himself or for sale for such purpose: *Provided*, That no such animal shall be admitted free unless pure bred of a recognized breed, and duly registered in the book of record established for that breed: *And provided further*, That certificate of such record and of the pedigree of such animal shall be produced and submitted to the customs officer, duly authenticated by the proper custodian of such book of record, together with the affidavit of the owner, agent, or importer that such animal is the identical animal described in said certificate of record and pedigree: *And provided further*, That the Secretary of Agriculture shall determine and certify to the Secretary of the Treasury what are recognized breeds and pure-bred animals under the provisions of this paragraph. The Secretary of the Treasury may prescribe such additional regulations as may be required for the strict enforcement of this provision. Cattle, horses, sheep, or other domestic animals straying across the boundary line into any foreign country, or driven across such boundary line by the owner for temporary pasturage purposes only, together with their offspring, may be brought back to the United States within six months free of duty, under regulations to be prescribed by the Secretary of the Treasury: *And provided further*, That the provisions of this act shall apply to all such animals as have been imported and are in quarantine, or otherwise in the custody of customs or other officers of the United States, at the date of the passage of this Act.

Act August 5, 1909, c. 6, s. 1, par. 492, 36 Stat. 72.

This is a paragraph of the tariff act of 1909, and re-enacts in the same language a paragraph of the tariff act of 1897, act July 24, 1897, c. 11, s. 2, par. 473, 30 Stat. 194, as amended by act March 3, 1903, c. 998, 32 Stat. 1023, entitled "An act regulating the importation of breeding animals."

The proviso in this paragraph relating to the determination and the certification to the Secretary of the Treasury, of pure-bred animals for importation, supersedes similar provisions in the agricultural appropriation acts for the fiscal year 1898 and previous fiscal years.

ACT AUGUST 30, 1890, c. 839. An act providing for an inspection of meats for exportation, prohibiting the importation of adulterated articles of food or drink, and authorizing the President to make proclamation in certain cases, and for other purposes. (26 Stat. 414.)

Inspection of salted pork and bacon for exportation; certificates of inspection; identification marks, stamps, etc.; forgery; penalty.

That the Secretary of Agriculture may cause to be made a careful inspection of salted pork and bacon intended for exportation, with a view to determining whether the same is wholesome, sound, and fit for human food whenever the laws, regulations, or orders of the Government of any foreign country to which such pork or bacon is to be exported shall require inspection thereof relating to the importation thereof into such country, and also whenever any buyer, seller, or exporter of such meats intended for exportation shall request the inspection thereof.

Such inspection shall be made at the place where such meats are packed or boxed, and each package of such meats so inspected shall

bear the marks, stamps, or other device for identification provided for in the last clause of this section: *Provided*, That an inspection of such meats may also be made at the place of exportation if an inspection has not been made at the place of packing, or if, in the opinion of the Secretary of Agriculture, a re-inspection becomes necessary. One copy of any certificate issued by any such inspector shall be filed in the Department of Agriculture; another copy shall be attached to the invoice of each separate shipment of such meat, and a third copy shall be delivered to the consignor or shipper of such meat as evidence that packages of salted pork and bacon have been inspected in accordance with the provisions of this act and found to be wholesome, sound, and fit for human food; and for the identification of the same such marks, stamps, or other devices as the Secretary of Agriculture may by regulation prescribe shall be affixed to each of such packages.

Any person who shall forge, counterfeit, or knowingly and wrongfully alter, deface, or destroy any of the marks, stamps, or other devices provided for in this section on any package of any such meats, or who shall forge, counterfeit, or knowingly and wrongfully alter, deface, or destroy any certificate in reference to meats provided for in this section, shall be deemed guilty of a misdemeanor, and on conviction thereof shall be punished by a fine not exceeding one thousand dollars or imprisonment not exceeding one year, or by both said punishments, in the discretion of the court.

Act August 30, 1890, c. 839, s. 1, 26 Stat. 414.

Sections 2-5 of this act, relating to the importation of adulterated food, drugs, and liquors, are set forth on p. 184, *post*, under "Bureau of Chemistry."

Sections 6-10 of this act, relating to the importation, quarantine, and inspection of diseased or infected cattle, etc., are set forth on p. 48, *ante*.

Appropriations for carrying out the provisions of this act "providing for an inspection of meats and animals," were made in the agricultural appropriation acts for the fiscal years 1892 to 1906, inclusive. No appropriations for carrying out the provisions of the act were made in the similar acts for the subsequent fiscal years 1907 to 1909, inclusive, and appropriations made in the agricultural appropriation acts for the fiscal year 1910 and each year thereafter are for carrying out the provisions of the act "providing for the importation of animals into the United States." The appropriation in the act for the fiscal year 1913 is set forth on p. 72, *post*.

Other provisions for the inspection and certification of live cattle, etc., the carcasses and products of which are for interstate commerce or exportation, and prohibiting the interstate transportation of carcasses and products of animals found unsound or diseased, are contained in act March 3, 1891, c. 555, set forth below.

Subsequent comprehensive provisions for the inspection of cattle, sheep, swine, and goats, before slaughter, the meat or products of which are for exportation or interstate commerce, the post-mortem inspection of carcasses and parts thereof, the marking, etc., of sound, etc., and condemned carcasses and parts thereof, the labeling of receptacles, etc., of meat and products, the protection of marks, certificates, etc., the sanitary inspection of slaughtering, etc., establishments, and prohibiting the exportation and interstate transportation of meats or products not inspected and passed, are contained in act March 4, 1907, c. 2907, set forth on p. 61, *post*.

All parts of this act providing for an inspection of meats for exportation, which are applicable to the subjects and purposes described in section 5 act May 9, 1902, c. 784, set forth on p. 59, *post*, are by that act made to apply to process or renovated butter.

ACT MARCH 3, 1891, c. 555. An act to provide for the inspection of live cattle, hogs, and the carcasses and products thereof which are the subjects of interstate commerce, and for other purposes. (26 Stat. 1089.)

Inspection of cattle intended for export; inspectors; certificates; clearance of vessels.

That the Secretary of Agriculture shall cause to be made a careful inspection of all cattle intended for export to foreign countries from the United States, at such times and places, and in such manner, as he may think proper, with a view to ascertain whether such cattle are free from disease; and for this purpose he may appoint inspectors, who shall be authorized to give an official certificate clearly stating the condition in which such animals are found, and no clearance shall be given to any vessel having on board cattle for exportation to a foreign country unless the owner or shipper of such cattle has a certificate from the inspector herein authorized to be appointed, stating that said cattle are sound and free from disease.

Act March 3, 1891, c. 555, s. 1, 26 Stat. 1089.

Inspection of cattle the meat of which is intended for exportation.

SEC. 2. That the Secretary of Agriculture shall also cause to be made a careful inspection of all live cattle, the meat of which, fresh, salted, canned, corned, packed, cured, or otherwise prepared, is intended for exportation to any foreign country, at such times and places, and in such manner as he may think proper, with a view to ascertain whether said cattle are free from disease, and their meat sound and wholesome, and may appoint inspectors who shall be authorized to give an official certificate clearly stating the condition in which such cattle and meat are found, and no clearance shall be given to any vessel having on board any fresh, salted, canned, corned, or packed beef being the meat of cattle killed after the passage of this Act for exportation to and sale in a foreign country from any port in the United States until the owner or shipper shall obtain from an inspector appointed under the provisions of this Act a certificate that said cattle were free from disease and that their meat is sound and wholesome.

Act March 3, 1891, c. 555, s. 2, 26 Stat. 1090, as amended by act March 2, 1895, c. 169, 28 Stat. 732.

This section is amended, to read as set forth above, by act March 2, 1895, c. 169, cited, by inserting, after the words "the meat of which," the words "fresh, salted, canned, corned, packed, cured, or otherwise prepared," and by inserting, after the words "on board any fresh," the words "salted, canned, corned, or packed." and by inserting, after the word "beef," the words "being the meat of cattle killed after the passage of this Act," and by adding, at the end of the section as originally enacted, the words "that said cattle were free from disease and that their meat is sound and wholesome."

Inspection of cattle, sheep, and hogs the carcasses or products of which are intended for interstate commerce.

SEC. 3. The Secretary of Agriculture shall cause to be inspected prior to their slaughter, all cattle, sheep, and hogs which are subjects of interstate commerce and which are about to be slaughtered at slaughter-houses, canning, salting, packing or rendering establishments in any State or Territory, the carcasses or products of which are to be transported and sold for human consumption in any other State or Territory, or the District of Columbia, and in addition to the

aforesaid inspection, there may be made in all cases where the Secretary of Agriculture may deem necessary or expedient, under rules and regulations to be by him prescribed, a post mortum examination of the carcasses of all cattle, sheep and hogs about to be prepared for human consumption at any slaughter-house, canning, salting, packing or rendering establishment in any State or Territory, or the District of Columbia which are the subjects of interstate commerce.

Act March 3, 1891, c. 555, s. 3, 26 Stat. 1090.

Regulations for examination of carcasses and products of cattle, sheep, and swine; identification marks; forgery, etc., of marks, etc.; penalty.

SEC. 4. That said examination shall be made in the manner provided by rules and regulations to be prescribed by the Secretary of Agriculture, and after said examination the carcasses and products of all cattle, sheep, and swine found to be free of disease and wholesome, sound, and fit for human food shall be marked, stamped, or labeled for identification as may be provided by said rules and regulations of the Secretary of Agriculture. Any person who shall forge, counterfeit, simulate, imitate, falsely represent, or use without authority, or knowingly and wrongfully alter, deface, or destroy any of the marks stamps, or other devices provided for in the regulations of the Secretary of Agriculture, of any such carcasses or their products, or who shall forge, counterfeit, simulate, imitate, falsely represent, or use without authority, or knowingly and wrongfully alter, deface, or destroy any certificate or stamp provided in said regulations, shall be deemed guilty of a misdemeanor, and on conviction thereof shall be punished by a fine not exceeding one thousand dollars, or imprisonment not exceeding one year, or by both said punishments, in the discretion of the court.

Act March 3, 1891, c. 555, s. 4, 26 Stat. 1090, as amended by act March 2, 1895, c. 169, 28 Stat. 732.

This section is amended, to read as set forth above, by act March 2, 1895, c. 169, cited, by inserting, after the words "forge, counterfeit," where they occur in this section, the words "simulate, imitate, falsely represent, or use without authority."

Interstate transportation of unsound carcasses and food products thereof prohibited; penalty.

SEC. 5. That it shall be unlawful for any person to transport from one State or Territory or the District of Columbia into any other State or Territory or the District of Columbia, or for any person to deliver to another for transportation from one State or Territory or the District of Columbia into another State or Territory or the District of Columbia the carcasses of any cattle, sheep, or swine, or the food products thereof, which have been examined in accordance with the provisions of sections three and four of this act, and which on said examination have been declared by the inspector making the same to be unsound or diseased. Any persons violating the provisions of this section shall be deemed guilty of a misdemeanor and punished for each offense as provided in section four of this act.

Act March 3, 1891, c. 555, s. 5, 26 Stat. 1090.

Regulations to prevent the transportation interstate or to foreign countries of condemned carcasses of cattle, sheep, and swine, are authorized by provisions of act March 2, 1895, c. 169, set forth below.

Official certificates for sound cattle, sheep, and swine and their carcasses and products.

SEC. 6. That the inspectors provided for in sections one and two of this act shall be authorized to give official certificates of the sound and wholesome condition of the cattle, sheep, and swine, their carcasses and products described in sections three and four of this act, and one copy of every certificate granted under the provisions of this act shall be filed in the Department of Agriculture, another copy shall be delivered to the owner or shipper, and when the cattle, sheep, and swine, or their carcasses and products are sent abroad, a third copy shall be delivered to the chief officer of the vessel on which the shipment shall be made.

Act March 3, 1891, c. 555, s. 6, 26 Stat. 1090.

The waiver of the requirement of a certificate with beef and other products exported to foreign countries that do not require such inspection, is authorized by a provision of act March 3, 1903, c. 1008, set forth below, and similar provisions in subsequent agricultural appropriation acts.

Provisions of act not to apply to cattle, sheep, or swine slaughtered by farmers on farms.

SEC. 7. That none of the provisions of this act shall be so construed as to apply to any cattle, sheep, or swine slaughtered by any farmer upon his farm, which may be transported from one State or Territory or the District of Columbia into another State or Territory or the District of Columbia: *Provided, however,* That if the carcasses of such cattle, sheep, or swine go to any packing or canning establishment and are intended for transportation to any other State or Territory or the District of Columbia as hereinbefore provided, they shall there be subject to the post mortem examination provided for in sections three and four of this act.

Act March 3, 1891, c. 555, s. 7, 26 Stat. 1091.

Violation of the provisions of this act is evidently made punishable and penalty is prescribed therefor in provisions of act March 2, 1895, c. 169, set forth below.

Live horses are entitled to the same inspection as other animals, by a provision of act March 3, 1903, c. 1008, set forth below, and similar provisions of subsequent agricultural appropriation acts.

All parts of this act and the amendment thereto approved March 2, 1895, which are applicable to the subjects and purposes described in section 5, act May 9, 1902, c. 784, set forth below, are by that act made to apply to process or renovated butter.

This act, as amended by act March 2, 1895, is made to include dairy products intended for exportation to foreign countries, by a provision of act May 23, 1908, c. 192, set forth below.

Appropriations for carrying out the provisions of this act were made in the agricultural appropriation acts for the fiscal years 1893 to 1906, inclusive. The appropriation for this purpose was omitted in the agricultural appropriation acts for the fiscal years 1907 and thereafter.

Subsequent and more comprehensive provisions for the inspection of cattle, sheep, swine, and goats, before slaughter, the meat or products of which are for exportation or interstate commerce, the post-mortem inspection of carcasses and parts thereof, the marking, etc., of sound, etc., and condemned carcasses and parts thereof, the labeling of receptacles, etc., of meat and products, the protection of certificates, marks, etc., the sanitary inspection of slaughtering, etc., establishments, and prohibiting the exportation and interstate transportation of meats or products not inspected and passed, were enacted in the agricultural appropriation act for the fiscal year 1907, act June 30, 1906, c. 3913, and re-enacted

and made permanent in the similar appropriation act for the fiscal year 1908, act March 4, 1907, c. 2907, set forth on p. 61, *post*, and a permanent appropriation of \$3,000,000 for the expenses of the inspection provided for and to carry into effect the provisions of the act relating to meat inspection, also made by said act June 30, 1906, c. 3913, is set forth on p. 68, *post*.

Previous provisions for the inspection of salted pork and bacon for exportation, are contained in act August 30, c. 839, s. 1, set forth on p. 53, *ante*.

ACT MARCH 2, 1895, c. 169. (28 Stat. 727.)

Regulations to prevent interstate transportation and exportation of condemned carcasses or parts thereof of cattle, sheep, and swine; violation of act; penalty.

The Secretary of Agriculture is hereby authorized to make such rules and regulations as he may decide to be necessary to prevent the transportation from one State or Territory or the District of Columbia into any other State or Territory or the District of Columbia, or to any foreign country, of the condemned carcasses or parts of carcasses of cattle, sheep, and swine, which have been inspected in accordance with the provisions of this Act. Any person, company, or corporation owning or operating any such slaughter-house, abattoir, or meat curing, packing, or canning establishment, or any employee of the same, that shall willfully violate any provision of this Act shall be deemed guilty of a misdemeanor, and, on conviction thereof, shall be punished for each offense by a fine not exceeding one thousand dollars or imprisonment not exceeding one year, or by both said punishments, in the discretion of the court.

Act March 2, 1895, c. 169, 28 Stat. 732.

This is a provision of the agricultural appropriation act for the fiscal year 1896, following provisions expressly amending act March 3, 1891, c. 555, ss. 2, 4, set forth above as amended.

ACT MARCH 3, 1903, c. 1008. (32 Stat. 1147.)

Inspection of horses and their carcasses and products; waiver of certificate of inspection of beef, etc.

* * * That live horses and the products and carcasses thereof be entitled to the same inspection as other animals, carcasses, and products thereof, herein named: *Provided further*, That the Secretary of Agriculture may in his discretion waive the requirement of a certificate with beef and other products which are exported to countries that do not require such inspection, * * *

Act March 3, 1903, c. 1008, 32 Stat. 1150.

These are provisos of the agricultural appropriation act for the fiscal year 1904 annexed to an appropriation for carrying out the provisions of act March 3, 1891, c. 555, and amendatory act March 2, 1895, c. 169, which act as amended is set forth above. Provisos in the same language are contained in the similar appropriation acts for the previous fiscal years, beginning with 1899.

Similar provisos for the inspection of live horses, but omitting the words, "and the carcasses and products thereof," were contained in the similar appropriation acts for the subsequent fiscal years, including the act for the fiscal year 1909, and the provision was omitted entirely in the acts thereafter.

The proviso authorizing the waiver of the requirement of a certificate of inspection of beef and other products for exportation, was repeated in the same words in the agricultural appropriation acts for subsequent fiscal years, including that for 1906. Such waiver is otherwise authorized

by a provision of the agricultural appropriation act for the fiscal year 1907, which is re-enacted and made permanent in the similar act for the fiscal year 1908, act March 4, 1907, c. 2907, set forth on p. 64, *post*.

ACT MAY 23, 1908, c. 192. (35 Stat. 251.)

Inspection of dairy products for exportation; indentification marks, etc.

* * * That the Act of March third, eighteen hundred and ninety-one, as amended March second, eighteen hundred and ninety-five, for the inspection of live cattle and products thereof, shall be deemed to include dairy products intended for exportation to any foreign country, and the Secretary of Agriculture may apply, under rules and regulations to be prescribed by him, the provisions of said act for inspection and certification appropriate for ascertaining the purity and quality of such products, and may cause the same to be so marked, stamped, or labeled as to secure their identity and make known in the markets of foreign countries to which they may be sent from the United States their purity, quality, and grade; and all the provisions of said Act relating to live cattle and products thereof for export shall apply to dairy products so inspected and certified: * * *

Act May 23, 1908, c. 192, 35 Stat. 254.

These are provisions of the agricultural appropriation act for the fiscal year 1909, cited above. Similar provisions were contained in the similar appropriation acts for the previous fiscal years, beginning with the act for the fiscal year 1902.

Act March 3, 1891, c. 555, as amended by act March 2, 1895, c. 169, is set forth on p. 55, *ante*.

Other provisions extending provisions of act August 30, 1890, c. 839, and act March 3, 1891, c. 555, as amended by act March 2, 1895, c. 169, to process or renovated butter; providing for marking, etc., of same, for sanitary inspection of factories, etc., and materials; and making violation of such provisions punishable by a penalty, are contained in act May 9, 1902, c. 784, s. 5, set forth below.

ACT MAY 9, 1902, c. 784. (32 Stat. 193.)

Inspection of process or renovated butter; sanitary inspection of factories, etc.; marking, etc., on packages; regulations and investigations and reports on materials used; violations of provisions punishable.

SEC. 5. All parts of an Act providing for an inspection of meats for exportation, approved August thirtieth, eighteen hundred and ninety, and of an Act to provide for the inspection of live cattle, hogs, and the carcasses and products thereof which are the subjects of interstate commerce, approved March third, eighteen hundred and ninety-one, and of amendment thereto approved March second, eighteen hundred and ninety-five, which are applicable to the subjects and purposes described in this section shall apply to process or renovated butter. And the Secretary of Agriculture is hereby authorized and required to cause a rigid sanitary inspection to be made, at such times as he may deem proper or necessary, of all factories and store-houses where process or renovated butter is manufactured, packed, or prepared for market, and of the products thereof and materials going into the manufacture of the same. All process or renovated butter and the packages containing the same shall be marked with the words "Renovated Butter" or "Process Butter" and by such other marks, labels, or brands and in such manner as may be prescribed by the Secretary of Agriculture, and no process or renovated

butter shall be shipped or transported from its place of manufacture into any other State or Territory or the District of Columbia, or to any foreign country, until it has been marked as provided in this section. The Secretary of Agriculture shall make all needful regulations for carrying this section into effect, and shall cause to be ascertained and reported from time to time the quantity and quality of process or renovated butter manufactured, and the character and the condition of the material from which it is made. And he shall also have power to ascertain whether or not materials used in the manufacture of said process or renovated butter are deleterious to health or unwholesome in the finished product, and in case such deleterious or unwholesome materials are found to be used in product intended for exportation or shipment into other States or in course of exportation or shipment he shall have power to confiscate the same. Any person, firm, or corporation violating any of the provisions of this section shall be deemed guilty of a misdemeanor and on conviction thereof shall be punished by a fine of not less than fifty dollars nor more than five hundred dollars or by imprisonment not less than one month nor more than six months, or by both said punishments, in the discretion of the court.

Act May 9, 1902, c. 784, s. 5, 32 Stat. 196.

The parts of act August 30, 1890, c. 839, providing for an inspection of meats for exportation, mentioned above, are set forth on p. 53, *ante*, and act March 3, 1891, c. 555, as amended by act March 2, 1895, c. 169, also mentioned above, is set forth on p. 55, *ante*.

Annual appropriations for carrying out the provisions of this section are made in the agricultural appropriation acts for the fiscal year 1910 and subsequent fiscal years. The appropriation in the act for the fiscal year 1913 is set forth on p. 72, *post*.

Time of taking effect of act.

SEC. 7. This Act shall take effect on the first day of July, nineteen hundred and two.

Act May 9, 1902, c. 784, s. 7, 32 Stat. 197.

Sections 1-4 and 6 of this act, here omitted, relate to the exercise of police powers of States, etc., over oleomargarine, butterine, imitation, process, renovated, or adulterated butter, or imitation cheese, etc., transported into the State, etc.; the imposition of taxes on oleomargarine, process, renovated, or adulterated butter; and inspection of dealers' books.

A provision of act May 23, 1908, c. 192, set forth above, makes act March 3, 1891, c. 555, as amended by act March 2, 1895, c. 169, to include dairy products intended for exportation.

ACT AUGUST 10, 1912, c. 284. (37 Stat. 269.)

Sanitary inspection of renovated butter factories.

* * * That the sanitary provisions for slaughtering, meat canning, or similar establishments, as set forth in the Act of June thirtieth, nineteen hundred and six (Thirty-fourth Statutes, page six hundred and seventy-six), are hereby extended to cover renovated butter factories as defined in the Act of May ninth, nineteen hundred and two (Thirty-second Statutes, page one hundred and ninety-six), under such regulations as the Secretary of Agriculture may prescribe.

Act August 10, 1912, c. 284, 37 Stat. 273.

This is a proviso annexed to the agricultural appropriation act for the fiscal year 1913, cited above. The sanitary provisions for slaughtering, etc., establishments, in act June 30, 1906, c. 3913, 34 Stat. 676, mentioned in this provision, are repeated and re-enacted in permanent form in act March 4, 1907, c. 2907, as set forth below, and act May 9, 1902, c. 784, s. 5, also mentioned, is set forth above.

ACT MARCH 4, 1907, c. 2907. (34 Stat. 1256.)

Inspection of meat and meat food products for use in interstate or foreign commerce; examination of cattle, etc., before slaughtering; diseased animals to be slaughtered separately and their carcasses examined.

For meat inspection: That hereafter, for the purpose of preventing the use in interstate or foreign commerce, as hereinafter provided, of meat and meat food products which are unsound, unhealthful, unwholesome, or otherwise unfit for human food, the Secretary of Agriculture, at his discretion, may cause to be made, by inspectors appointed for that purpose, an examination and inspection of all cattle, sheep, swine, and goats before they shall be allowed to enter into any slaughtering, packing, meat-canning, rendering, or similar establishment, in which they are to be slaughtered and the meat and meat food products thereof are to be used in interstate or foreign commerce; and all cattle, swine, sheep, and goats found on such inspection to show symptoms of disease shall be set apart and slaughtered separately from all other cattle, sheep, swine, or goats, and when so slaughtered the carcasses of said cattle, sheep, swine, or goats shall be subject to a careful examination and inspection, all as provided by the rules and regulations to be prescribed by the Secretary of Agriculture, as herein provided for.

Post-mortem examination of carcasses, etc., of cattle, etc., at slaughtering, packing, etc., establishments, and marking, etc., thereof; destruction of carcasses, etc., condemned; reinspection.

That for the purposes hereinbefore set forth the Secretary of Agriculture shall cause to be made by inspectors appointed for that purpose, as hereinafter provided, a post-mortem examination and inspection of the carcasses and parts thereof of all cattle, sheep, swine, and goats to be prepared for human consumption at any slaughtering, meat-canning, salting, packing, rendering, or similar establishment in any State, Territory, or the District of Columbia for transportation or sale as articles of interstate or foreign commerce; and the carcasses and parts thereof of all such animals found to be sound, healthful, wholesome, and fit for human food shall be marked, stamped, tagged, or labeled as "Inspected and passed;" and said inspectors shall label, mark, stamp, or tag as "Inspected and condemned" all carcasses and parts thereof of animals found to be unsound, unhealthful, unwholesome, or otherwise unfit for human food; and all carcasses and parts thereof thus inspected and condemned shall be destroyed for food purposes by the said establishment in the presence of an inspector, and the Secretary of Agriculture may remove inspectors from any such establishment which fails to so destroy any such condemned carcass or part thereof, and said inspectors, after said first inspection, shall, when they deem it necessary, reinspect said carcasses or parts thereof to determine whether since the first inspection the same have become unsound, unhealthful, unwholesome, or in any way unfit for human food, and if any carcass or any part thereof shall, upon examination and inspection subsequent to the first examination and inspection, be found to be unsound, unhealthful, unwholesome, or otherwise unfit for human food, it shall be destroyed for food purposes by the said establishment in the presence of an inspector, and the Secretary of Agriculture may remove inspectors from any establishment which fails to so destroy any such condemned carcass or part thereof.

Examination of carcasses brought into slaughtering, packing, etc., establishments, and of meat food products issued from and returned to such establishments.

The foregoing provisions shall apply to all carcasses or parts of carcasses of cattle, sheep, swine, and goats, or the meat or meat products thereof which may be brought into any slaughtering, meat-canning, salting, packing, rendering, or similar establishment, and such examination and inspection shall be had before the said carcasses or parts thereof shall be allowed to enter into any department wherein the same are to be treated and prepared for meat food products; and the foregoing provisions shall also apply to all such products which, after having been issued from any slaughtering, meat-canning, salting, packing, rendering, or similar establishment, shall be returned to the same or to any similar establishment where such inspection is maintained.

Inspectors of meat food products; appointment and authority; marks, etc., of inspection of such products; meat food products for export.

That for the purposes hereinbefore set forth the Secretary of Agriculture shall cause to be made, by inspectors appointed for that purpose, an examination and inspection of all meat food products prepared for interstate or foreign commerce in any slaughtering, meat-canning, salting, packing, rendering, or similar establishment, and for the purposes of any examination and inspection said inspectors shall have access at all times, by day or night, whether the establishment be operated or not, to every part of said establishment; and said inspectors shall mark, stamp, tag, or label as "Inspected and passed" all such products found to be sound, healthful, and wholesome, and which contain no dyes, chemicals, preservatives, or ingredients which render such meat, or meat food products unsound, unhealthful, unwholesome, or unfit for human food; and said inspectors shall label, mark, stamp, or tag as "Inspected and condemned" all such products found unsound, unhealthful, and unwholesome, or which contain dyes, chemicals, preservatives, or ingredients which render such meat or meat food products unsound, unhealthful, unwholesome, or unfit for human food, and all such condemned meat food products shall be destroyed for food purposes, as hereinbefore provided, and the Secretary of Agriculture may remove inspectors from any establishment which fails to so destroy such condemned meat food products: *Provided*, That subject to the rules and regulations of the Secretary of Agriculture the provisions hereof in regard to preservatives shall not apply to meat food products for export to any foreign country and which are prepared or packed according to the specifications or directions of the foreign purchaser, when no substance is used in the preparation or packing thereof in conflict with the laws of the foreign country to which said article is to be exported; but if said article shall be in fact sold or offered for sale for domestic use or consumption then this proviso shall not exempt said article from the operation of all the other provisions of this Act.

Labeling receptacles or coverings of meat food products inspected and passed; supervision by inspectors; sale under false names forbidden; trade names permitted.

That when any meat or meat food product prepared for interstate or foreign commerce which has been inspected as hereinbefore pro-

vided and marked "Inspected and passed" shall be placed or packed in any can, pot, tin, canvas, or other receptacle or covering in any establishment where inspection under the provisions of this Act is maintained, the person, firm, or corporation preparing said product shall cause a label to be attached to said can, pot, tin, canvas, or other receptacle or covering, under the supervision of an inspector, which label shall state that the contents thereof have been "inspected and passed" under the provisions of this Act; and no inspection and examination of meat or meat food products deposited or inclosed in cans, tins, pots, canvas, or other receptacle or covering in any establishment where inspection under the provisions of this Act is maintained shall be deemed to be complete until such meat or meat food products have been sealed or inclosed in said can, tin, pot, canvas, or other receptacle or covering under the supervision of an inspector, and no such meat or meat food products shall be sold or offered for sale by any person, firm, or corporation in interstate or foreign commerce under any false or deceptive name; but established trade name or names which are usual to such products and which are not false and deceptive and which shall be approved by the Secretary of Agriculture are permitted.

Sanitary inspection and regulation of slaughtering, packing, etc., establishments; rejection of meat or meat food products from insanitary conditions.

The Secretary of Agriculture shall cause to be made, by experts in sanitation or by other competent inspectors, such inspection of all slaughtering, meat canning, salting, packing, rendering, or similar establishments in which cattle, sheep, swine, and goats are slaughtered and the meat and meat food products thereof are prepared for interstate or foreign commerce as may be necessary to inform himself concerning the sanitary conditions of the same, and to prescribe the rules and regulations of sanitation under which such establishments shall be maintained; and where the sanitary conditions of any such establishment are such that the meat or meat food products are rendered unclean, unsound, unhealthful, unwholesome, or otherwise unfit for human food, he shall refuse to allow said meat or meat food products to be labeled, marked, stamped, or tagged as "inspected and passed."

Examination of cattle, etc., and food products thereof, slaughtered and prepared during nighttime.

That the Secretary of Agriculture shall cause an examination and inspection of all cattle, sheep, swine, and goats, and the food products thereof, slaughtered and prepared in the establishments hereinbefore described for the purposes of interstate or foreign commerce to be made during the nighttime as well as during the daytime when the slaughtering of said cattle, sheep, swine, and goats, or the preparation of said food products is conducted during the nighttime.

Transportation in interstate or foreign commerce of carcasses, etc., meat, or meat food products not inspected, etc., and marked in accordance with act.

That on and after October first, nineteen hundred and six, no person, firm, or corporation shall transport or offer for transportation, and no carrier of interstate or foreign commerce shall transport or receive for transportation from one State or Territory or the Dis-

district of Columbia to any other State or Territory or the District of Columbia, or to any place under the jurisdiction of the United States, or to any foreign country, any carcasses or parts thereof, meat, or meat food products thereof which have not been inspected, examined, and marked as "Inspected and passed," in accordance with the terms of this Act and with the rules and regulations prescribed by the Secretary of Agriculture: *Provided*, That all meat and meat food products on hand on October first, nineteen hundred and six, at establishments where inspection has not been maintained or which have been inspected under existing law, shall be examined and labeled under such rules and regulations as the Secretary of Agriculture shall prescribe, and then shall be allowed to be sold in interstate or foreign commerce.

Forgery, alteration, unauthorized use, etc., of marks, etc., labels, or other identification devices provided for, or certificates, etc., forbidden.

That no person, firm, or corporation, or officer, agent, or employee thereof, shall forge, counterfeit, simulate, or falsely represent, or shall without proper authority use, fail to use, or detach, or shall knowingly or wrongfully alter, deface, or destroy, or fail to deface or destroy, any of the marks, stamps, tags, labels, or other identification devices provided for in this Act, or in and as directed by the rules and regulations prescribed hereunder by the Secretary of Agriculture, on any carcasses, parts of carcasses, or the food product, or containers thereof, subject to the provisions of this Act, or any certificate in relation thereto, authorized or required by this Act or by the said rules and regulations of the Secretary of Agriculture.

Inspection of cattle etc., for export.

That the Secretary of Agriculture shall cause to be made a careful inspection of all cattle, sheep, swine, and goats intended and offered for export to foreign countries at such times and places, and in such manner as he may deem proper, to ascertain whether such cattle, sheep, swine, and goats are free from disease.

Inspectors of cattle, etc., for export; certificates of condition of cattle, etc.

And for this purpose he may appoint inspectors who shall be authorized to give an official certificate clearly stating the condition in which such cattle, sheep, swine, and goats are found.

No clearance to vessel having on board cattle, etc., for export without inspector's certificate; waiver or requirement of certificate.

And no clearance shall be given to any vessel having on board cattle, sheep, swine, or goats for export to a foreign country until the owner or shipper of such cattle, sheep, swine, or goats has a certificate from the inspector herein authorized to be appointed, stating that the said cattle, sheep, swine, or goats are sound and healthy, or unless the Secretary of Agriculture shall have waived the requirement of such certificate for export to the particular country to which such cattle, sheep, swine, or goats are to be exported.

Inspection of carcasses, etc., of cattle, etc., meat of which is intended for export.

That the Secretary of Agriculture shall also cause to be made a careful inspection of the carcasses and parts thereof of all cattle, sheep, swine, and goats, the meat of which, fresh, salted, canned,

corned, packed, cured, or otherwise prepared, is intended and offered for export to any foreign country, at such times and places and in such manner as he may deem proper.

Inspectors of carcasses, etc., of cattle, etc., meat of which is intended for export; certificates of condition of cattle, etc., and meat thereof.

And for this purpose he may appoint inspectors who shall be authorized to give an official certificate stating the condition in which said cattle, sheep, swine, or goats, and the meat thereof, are found.

No clearance to vessel having on board meat, etc., for export without inspector's certificate; waiver of requirement of certificate.

And no clearance shall be given to any vessel having on board any fresh, salted, canned, corned, or packed beef, mutton, pork, or goat meat, being the meat of animals killed after the passage of this Act, or except as hereinbefore provided for export to and sale in a foreign country from any port in the United States, until the owner or shipper thereof shall obtain from an inspector appointed under the provisions of this Act a certificate that the said cattle, sheep, swine, and goats were sound and healthy at the time of inspection, and that their meat is sound and wholesome, unless the Secretary of Agriculture shall have waived the requirements of such certificate for the country to which said cattle, sheep, swine, and goats or meats are to be exported.

Delivery of inspectors' certificates, and of copies thereof.

That the inspectors provided for herein shall be authorized to give official certificates of the sound and wholesome condition of the cattle, sheep, swine, and goats, their carcasses and products as herein described; and one copy of every certificate granted under the provisions of this Act shall be filed in the Department of Agriculture, another copy shall be delivered to the owner or shipper, and when the cattle, sheep, swine, and goats or their carcasses and products are sent abroad, a third copy shall be delivered to the chief officer of the vessel on which the shipment shall be made.

Transportation or sale, etc., of meat or meat food products in interstate commerce, without complying with provisions of act, forbidden.

That no person, firm, or corporation engaged in the interstate commerce of meat or meat food products shall transport or offer for transportation, sell or offer to sell any such meat or meat food products in any State or Territory or in the District of Columbia or any place under the jurisdiction of the United States, other than in the State or Territory or in the District of Columbia or any place under the jurisdiction of the United States in which the slaughtering, packing, canning, rendering, or other similar establishment owned, leased, or operated by said firm, person, or corporation is located unless and until said person, firm, or corporation shall have complied with all of the provisions of this Act.

Violation of provisions of act; penalty.

That any person, firm, or corporation, or any officer or agent of any such person, firm, or corporation, who shall violate any of the provisions of this Act shall be deemed guilty of a misdemeanor and shall be punished on conviction thereof by a fine of not exceeding ten thousand dollars or imprisonment for a period of not more than

two years, or by both such fine and imprisonment, in the discretion of the court.

Appointment and duties of inspectors; regulations for execution of provisions of act.

That the Secretary of Agriculture shall appoint from time to time inspectors to make examination and inspection of all cattle, sheep, swine, and goats, the inspection of which is hereby provided for, and of all carcasses and parts thereof, and of all meats and meat food products thereof, and of the sanitary conditions of all establishments in which such meat and meat food products hereinbefore described are prepared; and said inspectors shall refuse to stamp, mark, tag, or label any carcass or any part thereof, or meat food product therefrom, prepared in any establishment hereinbefore mentioned, until the same shall have actually been inspected and found to be sound, healthful, wholesome, and fit for human food, and to contain no dyes, chemicals, preservatives, or ingredients which render such meat food product unsound, unhealthful, unwholesome, or unfit for human food; and to have been prepared under proper sanitary conditions, hereinbefore provided for; and shall perform such other duties as are provided by this Act and by the rules and regulations to be prescribed by said Secretary of Agriculture; and said Secretary of Agriculture shall, from time to time, make such rules and regulations as are necessary for the efficient execution of the provisions of this Act, and all inspections and examinations made under this Act shall be such and made in such manner as described in the rules and regulations prescribed by said Secretary of Agriculture not inconsistent with the provisions of this Act.

Bribery of or gifts, etc., to inspectors or other officers, etc., under this act, and acceptance of gifts, etc., by such inspectors or other officers, etc., punishable; penalties.

That any person, firm, or corporation, or any agent or employee of any person, firm, or corporation who shall give, pay, or offer, directly or indirectly, to any inspector, deputy inspector, chief inspector, or any other officer or employee of the United States authorized to perform any of the duties prescribed by this Act or by the rules and regulations of the Secretary of Agriculture any money or other thing of value, with intent to influence said inspector, deputy inspector, chief inspector, or other officer or employee of the United States in the discharge of any duty herein provided for, shall be deemed guilty of a felony and, upon conviction thereof, shall be punished by a fine not less than five thousand dollars nor more than ten thousand dollars and by imprisonment not less than one year nor more than three years; and any inspector, deputy inspector, chief inspector, or other officer or employee of the United States authorized to perform any of the duties prescribed by this Act who shall accept any money, gift, or other thing of value from any person, firm, or corporation, or officers, agents, or employees thereof, given with intent to influence his official action, or who shall receive or accept from any person, firm, or corporation engaged in interstate or foreign commerce any gift, money, or other thing of value given with any purpose or intent whatsoever, shall be deemed guilty of a felony and shall, upon conviction thereof, be summarily discharged from office and shall be punished by a fine not less than one thousand dol-

lars nor more than ten thousand dollars and by imprisonment not less than one year nor more than three years.

Provisions requiring inspection not to apply to farmers, retailers, etc.; sale or transportation in interstate or foreign commerce of meat or meat food products unfit for food, punishable; penalty; maintenance of inspection as to retailers, farmers, etc., authorized, notwithstanding exception.

That the provisions of this Act requiring inspection to be made by the Secretary of Agriculture shall not apply to animals slaughtered by any farmer on the farm and sold and transported as interstate or foreign commerce, nor to retail butchers and retail dealers in meat and meat food products, supplying their customers: *Provided*, That if any person shall sell or offer for sale or transportation for interstate or foreign commerce any meat or meat food products which are diseased, unsound, unhealthful, unwholesome, or otherwise unfit for human food, knowing that such meat food products are intended for human consumption, he shall be guilty of a misdemeanor, and on conviction thereof shall be punished by a fine not exceeding one thousand dollars or by imprisonment for a period of not exceeding one year, or by both such fine and imprisonment: *Provided also*, That the Secretary of Agriculture is authorized to maintain the inspection in this Act provided for at any slaughtering, meat-canning, salting, packing, rendering, or similar establishment notwithstanding this exception, and that the persons operating the same may be retail butchers and retail dealers or farmers; and where the Secretary of Agriculture shall establish such inspection then the provisions of this Act shall apply notwithstanding this exception.

Statement in annual estimates as to persons employed in inspections, their compensation and expenses.

And the Secretary of Agriculture shall, in his annual estimates made to Congress, submit a statement in detail, showing the number of persons employed in such inspections and the salary or per diem paid to each, together with the contingent expenses of such inspectors and where they have been and are employed.

Act March 4, 1907, c. 2907, 34 Stat. 1260.

By a provision of act May 26, 1910, c. 256, set forth on p. 18, *ante*, the Secretary of Agriculture is required to transmit in the Book of Estimates detailed estimates for all officers, clerks, and employees, with their compensation, employed in the bureaus, offices, and divisions of the department. A provision of act August 10, 1912, c. 269, set forth on p. 18, *ante*, provides that said provision of act May 26, 1910, shall not apply to employees in the meat-inspection service.

The above provisions accompany appropriations for "General Expenses, Bureau of Animal Industry," in the agricultural appropriation act for the fiscal year 1908, cited above. They were originally enacted in the same language, except the word "hereafter" at the beginning of the first paragraph as set forth here, in the similar appropriation act for the preceding fiscal year, act June 30, 1906, c. 3913, 34 Stat. 674.

A permanent appropriation of \$3,000,000, for the expenses of the inspection provided for and to carry into effect the provisions of the act relating to meat inspection, also made by said act June 30, 1906, c. 3913, is set forth below.

Previous provisions for the inspection of salted pork and bacon for exportation, certificates, identification marks, etc., are contained in act August 30, 1890, c. 839, s. 1, 26 Stat., 414, set forth on p. 53, *ante*; and for the inspection of live cattle intended for export and of live cattle whose meat is intended for export or interstate commerce, post-mortem inspections of cattle, etc., inspectors, certificates, identification marks, etc., and prohibiting interstate transportation of unsound carcasses, etc., or

food products thereof, are contained in act March 3, 1891, c. 555, as amended by act March 3, 1895, c. 169, set forth on p. 55, *ante*.

The sanitary provisions for slaughtering, etc., establishments, in act June 30, 1906, c. 3713, as repeated and re-enacted in permanent form in this act, are, by a proviso of the agricultural appropriation act for the fiscal year 1913, act August 10, 1912, c. 284, set forth on p. 60, *ante*, extended to cover renovated-butter factories as defined in act May 9, 1902, c. 784, s. 5, set forth on p. 59, *ante*.

ACT JUNE 30, 1906, c. 3913. (34 Stat. 669.)

Permanent appropriation for expenses of inspection of cattle, etc., and meat and meat food products thereof in interstate or foreign commerce, and for carrying into effect provisions relating to meat inspection.

That there is permanently appropriated, out of any money in the Treasury not otherwise appropriated, the sum of three million dollars, for the expenses of the inspection of cattle, sheep, swine, and goats and the meat and meat food products thereof which enter into interstate or foreign commerce and for all expenses necessary to carry into effect the provisions of this Act relating to meat inspection, including rent and the employment of labor in Washington and elsewhere, for each year.

Act June 30, 1906, c. 3913, 34 Stat. 679.

This is a provision of the agricultural appropriation act for the fiscal year 1907, cited above. It follows other provisions of that act relating to meat inspection, which are mentioned in this provision. Those provisions are repeated in the same language and re-enacted in permanent form in act March 4, 1907, c. 2907, set forth above.

ACT JUNE 29, 1906, c. 3594. An act to prevent cruelty to animals while in transit by railroad or other means of transportation from one State or Territory or the District of Columbia into or through another State or Territory or the District of Columbia, and repealing sections forty-three hundred and eighty-six, forty-three hundred and eighty-seven, forty-three hundred and eighty-eight, forty-three hundred and eighty-nine, and forty-three hundred and ninety of the United States Revised Statutes. (34 Stat. 607.)

Transportation of animals; limitation of time of confinement in cars, boats, or vessels; unloading for rest, water, and feeding; extension of time of confinement on request of owner, etc.; estimation of time of confinement; sheep not required to be unloaded in nighttime.

That no railroad, express company, car company, common carrier other than by water, or the receiver, trustee, or lessee of any of them, whose road forms any part of a line of road over which cattle, sheep, swine, or other animals shall be conveyed from one State or Territory or the District of Columbia into or through another State or Territory or the District of Columbia, or the owners or masters of steam, sailing, or other vessels carrying or transporting cattle, sheep, swine, or other animals from one State or Territory or the District of Columbia into or through another State or Territory or the District of Columbia, shall confine the same in cars, boats, or vessels of any description for a period longer than twenty-eight consecutive hours without unloading the same in a humane manner, into properly equipped pens for rest, water, and feeding, for a period of at least five consecutive hours, unless prevented by storm or by other accidental or unavoidable causes which can not be anticipated or avoided by the exercise of due diligence and foresight: *Provided*, That upon the written request of the owner or person in custody of that particular shipment, which written request shall be separate and apart

from any printed bill of lading, or other railroad form, the time of confinement may be extended to thirty-six hours. In estimating such confinement, the time consumed in loading and unloading shall not be considered, but the time during which the animals have been confined without such rest or food or water on connecting roads shall be included, it being the intent of this Act to prohibit their continuous confinement beyond the period of twenty-eight hours, except upon the contingencies hereinbefore stated: *Provided*, That it shall not be required that sheep be unloaded in the nighttime, but where the time expires in the nighttime in case of sheep the same may continue in transit to a suitable place for unloading, subject to the aforesaid limitation of thirty-six hours.

Act June 29, 1906, c. 3594, s. 1, 34 Stat. 607.

Animals unloaded to be fed and watered by owner, etc., or railroad, etc., and at expense of owner, etc.; lien of railroad, etc., for food, care, and custody.

SEC. 2. That animals so unloaded shall be properly fed and watered during such rest either by the owner or person having the custody thereof, or in case of his default in so doing, then by the railroad, express company, car company, common carrier other than by water, or the receiver, trustee, or lessee of any of them, or by the owners or masters of boats or vessels transporting the same, at the reasonable expense of the owner or person in custody thereof, and such railroad, express company, car company, common carrier other than by water, receiver, trustee, or lessee of any of them, owners or masters, shall in such case have a lien upon such animals for food, care, and custody furnished, collectible at their destination in the same manner as the transportation charges are collected, and shall not be liable for any detention of such animals, when such detention is of reasonable duration, to enable compliance with section one of this Act; but nothing in this section shall be construed to prevent the owner or shipper of animals from furnishing food therefor, if he so desires.

Act June 29, 1906, c. 3594, s. 2, 34 Stat. 608.

Penalty for failure to comply with provisions of two preceding sections; provisions not to apply where animals have proper food, water, space, and opportunity to rest in cars, boats, or vessels.

SEC. 3. That any railroad, express company, car company, common carrier other than by water, or the receiver, trustee, or lessee of any of them, or the master or owner of any steam, sailing, or other vessel who knowingly and willfully fails to comply with the provisions of the two preceding sections shall for every such failure be liable for and forfeit and pay a penalty of not less than one hundred nor more than five hundred dollars: *Provided*, That when animals are carried in cars, boats, or other vessels in which they can and do have proper food, water, space, and opportunity to rest the provisions in regard to their being unloaded shall not apply.

Act June 29, 1906, c. 3594, s. 3, 34 Stat. 608.

Penalty recoverable by civil action; duty of district attorneys to prosecute violations.

SEC. 4. That the penalty created by the preceding section shall be recovered by civil action in the name of the United States in the circuit or district court holden within the district where the violation may have been committed or the person or corporation resides or

carries on business; and it shall be the duty of United States attorneys to prosecute all violations of this Act reported by the Secretary of Agriculture, or which come to their notice or knowledge by other means.

Act June 29, 1906, c. 3594, s. 4, 34 Stat. 608.

Repeal of Rev. St. secs. 4386-4390.

SEC. 5. That sections forty-three hundred and eighty-six, forty-three hundred and eighty-seven, forty-three hundred and eighty-eight, forty-three hundred and eighty-nine, and forty-three hundred and ninety of the Revised Statutes of the United States be, and the same are hereby, repealed.

Act June 29, 1906, c. 3594, s. 5, 34 Stat. 608.

Annual appropriations for carrying into effect the provisions of this act are made in the agricultural appropriation acts for the fiscal year 1909 and subsequent fiscal years. The appropriation in the act for the fiscal year 1913 is set forth on p. 73, *post*.

ACT MARCH 3, 1891, c. 521. An act to provide for the safe transport and humane treatment of export cattle from the United States to foreign countries, and for other purposes. (26 Stat. 833.)

Examination of vessels carrying export cattle and regulation of accommodations for humane treatment.

That the Secretary of Agriculture is hereby authorized to examine all vessels which are to carry export cattle from the ports of the United States to foreign countries, and to prescribe by rules and regulations or orders the accommodations which said vessels shall provide for export cattle, as to space, ventilation, fittings, food and water supply, and such other requirements as he may decide to be necessary for the safe and proper transportation and humane treatment of such animals.

Act March 3, 1891, c. 521, s. 1, 26 Stat. 833.

Violation of regulations, etc.; penalty.

SEC. 2. That whenever the owner, owners, or master of any vessel carrying export cattle shall willfully violate or cause or permit to be violated any rule, regulation or order made pursuant to the foregoing section the vessel in respect of which such violation shall occur may be prohibited from again carrying cattle from any port of the United States for such length of time, not exceeding one year, as the Secretary of Agriculture may direct, and such vessel shall be refused clearance from any port of the United States accordingly.

Act March 3, 1891, c. 521, s. 2, 26 Stat. 833.

Annual appropriations for carrying into effect the provisions of this act are made in the agricultural appropriation acts for the fiscal years 1903 to 1906, inclusive, and the fiscal years 1909 and thereafter. The appropriation in the act for the fiscal year 1913 is set forth on p. 72, *post*.

ACT MARCH 4, 1909, c. 321. (35 Stat. 1088.)

Molesting officers or employees of Bureau of Animal Industry in execution of duties; punishment.

SEC. 62. Whoever shall forcibly assault, resist, oppose, prevent, impede, or interfere with any officer or employee of the Bureau of Animal Industry of the Department of Agriculture in the execution of his duties, or on account of the execution of his duties, shall be

fined not more than one thousand dollars, or imprisoned not more than one year or both; and whoever shall use any deadly or dangerous weapon in resisting any officer or employee of the Bureau of Animal Industry of the Department of Agriculture in the execution of his duties, with intent to commit a bodily injury upon him or to deter or prevent him from discharging his duties, or on account of the performance of his duties, shall be fined not more than one thousand dollars, or imprisoned not more than five years, or both.

Act March 4, 1909, c. 321, s. 62, 35 Stat. 1100.

This section is a part of "An act to codify, revise, and amend the penal laws of the United States," cited above, incorporating therein the provisions of section 5, act March 3, 1905, c. 1496, set forth on p. 48, *ante*.

ACT JULY 1, 1902, c. 1370. (32 Stat. 712.)

Bureau of Animal Industry expert to be detailed as member of advisory board for the hygienic laboratory.

SEC. 5. That there shall be an advisory board for the hygienic laboratory provided by the Act of Congress approved March third, nineteen hundred and one, for consultation with the Surgeon-General of the Public Health and Marine-Hospital Service relative to the investigations to be inaugurated, and the methods of conducting the same, in said laboratory. Said board shall consist of three competent experts, to be detailed from the Army, the Navy, and the Bureau of Animal Industry by the Surgeon-General of the Army, the Surgeon-General of the Navy, and the Secretary of Agriculture, respectively, which experts, with the director of the said laboratory, shall be ex officio members of the board, and serve without additional compensation. * * *

Act July 1, 1902, c. 1370, s. 5, 32 Stat. 713.

Act March 3, 1901, c. 853, s. 1, 31 Stat. 1137, mentioned in this section, provides for the erection of a laboratory for the Marine-Hospital Service and a site therefor.

ACT JANUARY 12, 1895, c. 23. (28 Stat. 601.)

Extra copies of the Report of the Bureau of Animal Industry.

SEC. 73. Extra copies of documents and reports shall be printed promptly when the same shall be ready for publication, and shall be bound in paper or cloth as directed by the Joint Committee on Printing, and shall be of the number following in addition to the usual number:

* * * * *

Of the Report of the Bureau of Animal Industry, thirty thousand copies, of which seven thousand shall be for the Senate, fourteen thousand for the House, and nine thousand for distribution by the Agricultural Department.

Act January 12, 1895, c. 23, s. 73, 28 Stat. 612, 613.

ACT AUGUST 10, 1912, c. 284. (37 Stat. 269.)

SALARIES, BUREAU OF ANIMAL INDUSTRY: One chief of bureau, five thousand dollars; one chief clerk, two thousand five hundred dollars; one editor and compiler, two thousand two hundred and fifty dollars; six clerks, class four; one clerk, one thousand six hundred and eighty dollars; twelve clerks, class three; two clerks, at one

thousand five hundred dollars each; twenty-two clerks, class two; two clerks, at one thousand three hundred and eighty dollars each; three clerks, at one thousand three hundred and twenty dollars each; one clerk, one thousand three hundred dollars; one clerk, one thousand two hundred and sixty dollars; thirty-nine clerks, class one; one clerk, one thousand one hundred dollars; one clerk, one thousand and eighty dollars; forty-five clerks, at one thousand dollars each; two clerks, at nine hundred and sixty dollars each; sixty-two clerks, at nine hundred dollars each; one architect, two thousand dollars; one architect, nine hundred dollars; one illustrator, one thousand four hundred dollars; four inspector's assistants, at one thousand dollars each; twelve inspector's assistants, at eight hundred and forty dollars each; one laboratory assistant, one thousand two hundred dollars; two laboratory assistants, at nine hundred dollars each; one laboratory helper, one thousand and twenty dollars; two laboratory helpers, at eight hundred and forty dollars each; one laboratory helper, seven hundred and twenty dollars; one laboratory helper, six hundred dollars; one laboratory helper, four hundred and eighty dollars; one instrument maker, one thousand two hundred dollars; one carpenter, one thousand one hundred dollars; two carpenters, at one thousand dollars each; one messenger and custodian, one thousand two hundred dollars; one messenger and custodian, one thousand dollars; nine messengers, skilled laborers, or laborers, at eight hundred and forty dollars each; ten messengers, skilled laborers, or laborers, at seven hundred and twenty dollars each; twenty-three messengers, messenger boys, or laborers, at four hundred and eighty dollars each; six messengers or messenger boys, at three hundred and sixty dollars each; one skilled laborer, one thousand dollars; thirty-three skilled laborers, at nine hundred dollars each; two skilled laborers, at eight hundred and forty dollars each; seven skilled laborers, at seven hundred and twenty dollars each; one skilled laborer or laborer, seven hundred and eighty dollars; two laborers or messengers, at six hundred and sixty dollars each; nine laborers, messengers, or messenger boys, at six hundred dollars each; three laborers, messengers, or messenger boys, at five hundred and forty dollars each; one watchman, seven hundred and twenty dollars; one charwoman, six hundred dollars; one charwoman, five hundred and forty dollars; eleven charwomen, at four hundred and eighty dollars each; four charwomen, at three hundred and sixty dollars each; one charwoman, three hundred dollars; two charwomen, at two hundred and forty dollars each; in all, three hundred and fifty-two thousand four hundred and fifty dollars.

GENERAL EXPENSES, BUREAU OF ANIMAL INDUSTRY: For carrying out the provisions of the Act approved May twenty-ninth, eighteen hundred and eighty-four, establishing a Bureau of Animal Industry, and the provisions of the Act approved March third, eighteen hundred and ninety-one, providing for the safe transport and humane treatment of export cattle from the United States to foreign countries, and for other purposes; the Act approved August thirtieth, eighteen hundred and ninety, providing for the importation of animals into the United States, and for other purposes; and the provisions of the Act of May ninth, nineteen hundred and two, extending the inspection of meats to process butter, and providing for the inspection of factories, marking of packages, and so forth; and the provisions of

the Act approved February second, nineteen hundred and three, to enable the Secretary of Agriculture to more effectually suppress and prevent the spread of contagious and infectious diseases of live stock, and for other purposes; and also the provisions of the Act approved March third, nineteen hundred and five, to enable the Secretary of Agriculture to establish and maintain quarantine districts, to permit and regulate the movement of cattle and other live stock therefrom, and for other purposes; and for carrying out the provisions of the Act of June twenty-ninth, nineteen hundred and six, entitled "An Act to prevent cruelty to animals while in transit by railroad or other means of transportation," and to enable the Secretary of Agriculture to collect and disseminate information concerning live stock, dairy, and other animal products; to prepare and disseminate reports on animal industry; to employ and pay from the appropriation herein made as many persons in the city of Washington or elsewhere as he may deem necessary; to purchase in the open market samples of all tuberculin serums, antitoxins, or analogous products, of foreign or domestic manufacture, which are sold in the United States, for the detection, prevention, treatment, or cure of diseases of domestic animals, to test the same, and to disseminate the results of said tests in such manner as he may deem best; to purchase and destroy diseased or exposed animals or quarantine the same whenever in his judgment essential to prevent the spread of pleuropneumonia, tuberculosis, or other diseases of animals from one State to another, as follows:

For inspection and quarantine work, including all necessary expenses for the eradication of scabies in sheep and cattle, the inspection of southern cattle, the supervision of the transportation of live stock and the inspection of vessels, the execution of the twenty-eight hour law, the inspection and quarantine of imported animals, including the establishment and maintenance of quarantine stations and the alteration of buildings thereon, the inspection work relative to the existence of contagious diseases and the tuberculin and mallein testing of animals, six hundred thousand dollars;

For all necessary expenses for the eradication of southern cattle ticks, two hundred and fifty thousand dollars;

For all necessary expenses for investigations and experiments in dairy industry, cooperative investigations of the dairy industry in the various States, inspection of renovated butter factories, and markets, one hundred and seventy-seven thousand nine hundred dollars: * * *

A proviso, here omitted, extending the sanitary provisions for slaughtering, etc., establishments, as set forth in act June 30, 1906, c. 3913, to renovated butter factories, as defined in act May 9, 1902, c. 784, s. 5, is set forth on p. 60, *ante*.

For all necessary expenses for investigations and experiments in animal husbandry, fifty-two thousand one hundred and eighty dollars;

For all necessary expenses for scientific investigations in diseases of animals, including the maintenance and improvement of the bureau experiment station at Bethesda, Maryland, and the necessary alterations of buildings thereon, and the necessary expenses for investigations of tuberculin, serums, antitoxins, and analogous products, seventy-eight thousand six hundred and eighty dollars;

For construction of buildings at bureau experiment station at Bethesda, Maryland, and bureau experiment farm at Beltsville, Maryland, sixteen thousand five hundred dollars;

For general administrative work, including traveling expenses and salaries of employees engaged in such work, rent outside of the District of Columbia, office fixtures and supplies, express, freight, telegraph, telephone, and other necessary expenses, forty-two thousand six hundred and six dollars;

In all, for general expenses, one million two hundred and seventeen thousand eight hundred and sixty-six dollars;

* * * * *

A paragraph, here omitted, relating to the sale or exchange of breeding animals or animal products produced or purchased under appropriations made by Congress, is set forth on p. 45, *ante*.

COOPERATIVE EXPERIMENTS IN ANIMAL FEEDING AND BREEDING: For experiments in animal feeding and breeding, including cooperation with the State agricultural experiment stations, including the repairs and additions to and erection of buildings absolutely necessary to carry on the experiments, and the experiments in the breeding of horses for military purposes, including the employment of labor in the city of Washington and elsewhere, rent outside of the District of Columbia, and all other necessary expenses, one hundred thousand dollars.

Total for bureau of Animal Industry, one million six hundred and seventy thousand three hundred and sixteen dollars.

Act August 10, 1912, c. 284, 37 Stat. 272.

These are provisions of the agricultural appropriation act for the fiscal year 1913, cited above.

BUREAU OF PLANT INDUSTRY.

ACT MARCH 2, 1901, c. 805. (31 Stat. 922.)

Chief of bureau.

* * * One plant physiologist and pathologist, who shall be Chief of Bureau, * * *

Act March 2, 1901, c. 805, 31 Stat. 926.

This is a provision of the agricultural appropriation act for the fiscal year 1902, cited above. Provisions in the same words are contained in the similar acts for subsequent fiscal years. The provision in the act for the fiscal year 1913 is set forth on p. 81, *post*.

ACT JUNE 3, 1902, c. 985. (32 Stat. 286.)

Establishment of Bureau.

All existing statutes relating to the Division of Botany, the Division of Pomology, the Division of Vegetable Physiology and Pathology, the Division of Agrostology, and Experimental Gardens and Grounds, reorganized into the Bureau of Plant Industry, not otherwise repealed, are continued in effect as applying to the bureau into which the divisions are reorganized, by a proviso annexed to the agricultural appropriation act for the fiscal year 1903, cited above, set forth on p. 11, *ante*.

REV. ST. SEC. 527.

Purchase and distribution of seeds, plants, etc.

SEC. 527. That purchase and distribution of vegetable, field, and flower seeds, plants, shrubs, vines, bulbs and cuttings shall be of the

freshest and best obtainable varieties and adapted to general cultivation.

Rev. St. sec. 527, as amended by the agricultural appropriation act for the fiscal year 1897, act April 25, 1896, c. 140, 29 Stat. 106.

Provisions relating to the purchase and distribution of seeds, plants, etc., are enacted in the annual agricultural appropriation acts. The provisions of the act for the fiscal year 1913 are set forth below.

ACT AUGUST 10, 1912, c. 284. (37 Stat. 269.)

Expenses of purchase, distribution, etc., of seeds, plants, etc.; seeds, plants, etc., purchased to be of best and adapted to localities; allotment of seeds, plants, etc., to Members of Congress for distribution; distribution of uncalled for allotments; report of place, quantity, price, and date of seeds purchased; diversion of appropriation forbidden; purchase of rare seeds, plants, etc., for experimental tests.

PURCHASE AND DISTRIBUTION OF VALUABLE SEEDS: For purchase, propagation, testing, and distribution of valuable seeds, bulbs, trees, shrubs, vines, cuttings, and plants; all necessary office fixtures and supplies, fuel, transportation, paper, twine, gum, postal cards, gas, electric current, rent outside of the District of Columbia, official traveling expenses, and all necessary material and repairs for putting up and distributing the same; for repairs and the employment of local and special agents, clerks, assistants, and other labor required, in the city of Washington and elsewhere, two hundred and eighty-five thousand six hundred and eighty dollars, of which amount not less than two hundred and twenty-six thousand nine hundred and forty dollars shall be allotted for congressional distribution. And the Secretary of Agriculture is hereby directed to expend the said sum, as nearly as practicable, in the purchase, testing, and distribution of such valuable seeds, bulbs, shrubs, vines, cuttings, and plants, the best he can obtain at public or private sale, and such as shall be suitable for the respective localities to which the same are to be apportioned, and in which same are to be distributed as hereinafter stated, and such seeds so purchased shall include a variety of vegetable and flower seeds suitable for planting and culture in the various sections of the United States: *Provided*, That the Secretary of Agriculture, after due advertisement and on competitive bids, is authorized to award the contract for the supplying of printed packets and envelopes and the packeting, assembling, and mailing of the seeds, bulbs, shrubs, vines, cuttings, and plants, or any part thereof, for a period of not more than five years nor less than one year, if by such action he can best protect the interests of the United States. An equal proportion of five-sixths of all seeds, bulbs, shrubs, vines, cuttings, and plants shall, upon their request, after due notification by the Secretary of Agriculture that the allotment to their respective districts is ready for distribution, be supplied to Senators, Representatives, and Delegates to Congress for distribution among their constituents, or mailed by the department upon the receipt of their addressed franks, in packages of such weight as the Secretary of Agriculture and the Postmaster General may jointly determine: *Provided, however*, That upon each envelope or wrapper containing packages of seeds the contents thereof shall be plainly indicated, and the Secretary shall not distribute to any Senator, Representative, or Delegate seeds entirely unfit for the climate and locality he represents, but shall distribute the same so that each Member may have

seeds of equal value, as near as may be, and the best adapted to the locality he represents: *Provided, also*, That the seeds allotted to Senators and Representatives for distribution in the districts embraced within the twenty-fifth and thirty-fourth parallels of latitude shall be ready for delivery not later than the tenth day of January: *Provided, also*, That any portion of the allotments to Senators, Representatives, and Delegates in Congress remaining uncalled for on the first day of April shall be distributed by the Secretary of Agriculture, giving preference to those persons whose names and addresses have been furnished by Senators and Representatives in Congress, and who have not before during the same season been supplied by the department: *And provided also*, That the Secretary shall report, as provided in this Act, the place, quantity, and price of seeds purchased, and the date of purchase; but nothing in this paragraph shall be construed to prevent the Secretary of Agriculture from sending seeds to those who apply for the same. And the amount herein appropriated shall not be diverted or used for any other purpose but for the purchase, testing, propagation, and distribution of valuable seeds, bulbs, mulberry and other rare and valuable trees, shrubs, vines, cuttings, and plants: *Provided further*, That fifty-eight thousand seven hundred and forty dollars of which sum, or so much thereof as the Secretary of Agriculture shall direct, may be used to collect, purchase, test, propagate, and distribute rare and valuable seeds, bulbs, trees, shrubs, vines, cuttings, and plants from foreign countries or from our possessions for experiments with reference to their introduction into and cultivation in this country, and same shall not be distributed generally, but shall be used for experimental tests, to be carried on with the cooperation of the agricultural experiment stations.

Act August 10, 1912, c. 284, 37 Stat. 278.

These provisions of the agricultural appropriation act for the fiscal year 1913, cited above, are re-enactments, with alterations and additions, of those contained in the agricultural appropriation acts for the fiscal years 1881 and thereafter.

"It is questionable to what extent, if at all, its provisions can be considered permanent, or whether each is in force only in relation to the particular appropriation made by the act in which each appears." (*Compilers' note, 1 Supp. U. S. Rev. St. 773.*)

ACT MARCH 3, 1875, c. 128. (18 Stat. 340.)

Seeds and reports from Department of Agriculture, to be transmitted free.

SEC. 7. That seeds transmitted by the Commissioner of Agriculture, or by any member of Congress or delegate receiving seeds for distribution from said Department, together with agricultural reports emanating from that Department, and so transmitted, shall, under such regulations as the Postmaster-General shall prescribe, pass through the mails free of charge. And the provisions of this section shall apply to ex-members of Congress and ex-delegates for the period of nine months after the expiration of their terms as members and delegates.

Act March 3, 1875, c. 128, s. 7, 18 Stat. 343.

RES. MAY 19, 1902, No. 23. Joint resolution providing for the printing annually of franks required for sending out seed. (32 Stat. 741.)

That the Public Printer shall furnish to the Department of Agriculture such franks as the Secretary of Agriculture may require for sending out seeds on Congressional orders, the franks to have printed thereon the facsimile signatures of Senators, Representatives, and Delegates, also the names of their respective States or Territories, and the words "United States Department of Agriculture, Congressional Seed Distribution", or such other printed matter as the Secretary of Agriculture may direct; the franks to be of such size and style as may be prescribed by the Secretary of Agriculture; the expense of printing the said franks to be charged to the allotment for printing and binding for the two Houses of Congress.

Res. May 19, 1902, No. 23, 32 Stat. 741.

ACT APRIL 28, 1904, c. 1486. (33 Stat. 276.)

Tests of seeds of grass, etc., for adulterations.

The Secretary of Agriculture is hereby directed to obtain in the open market samples of seeds of grass, clover, or alfalfa, test the same, and if any such seeds are found to be adulterated or misbranded, or any seeds of Canada blue grass (*Poa compressa*) are obtained under any other name than Canada blue grass or *Poa compressa*, to publish the results of the tests, together with the names of the persons by whom the seeds were offered for sale.

Act April 28, 1904, c. 1486, 33 Stat. 283.

This is a provision of the agricultural appropriation act for the fiscal year 1905. Provisions in the same words are contained in the similar appropriation acts for the subsequent fiscal years including 1909. Provisions for the same purpose are contained in the similar appropriation acts for the fiscal years 1910 and thereafter, in the words of the provision of the act for the fiscal year 1913, set forth below.

ACT AUGUST 10, 1912, c. 284. (37 Stat. 269.)

Tests of seeds of grasses, etc., for adulterations.

For studying and testing commercial seeds, including the testing of samples of seeds of grasses, clover, or alfalfa secured in the open market, and where such samples are found to be adulterated or misbranded the results of the tests shall be published, together with the names of the persons by whom the seeds were offered for sale, * * *

Act August 10, 1912, c. 284, 37 Stat. 276.

This is a provision of the agricultural appropriation act for the fiscal year 1913, cited above. Provisions in the same words are contained in similar appropriation acts for the three preceding fiscal years. Provisions for the same purpose, in the words of the provision in the act for the fiscal year 1905, set forth above, were contained in the acts for that and subsequent fiscal years.

ACT AUGUST 24, 1912, c. 382. An act to regulate foreign commerce by prohibiting the admission into the United States of certain adulterated grain and seeds unfit for seeding purposes. (37 Stat. 506.)

Importation of alfalfa, grass, and grain seeds adulterated or unfit for seeding purposes, prohibited; delivery under bond; seeds shipped in bond through United States or for manufacturing purposes.

That from and after six months after the passage of this Act the importation into the United States of seeds of alfalfa, barley, Cana-

dian blue grass, Kentucky blue grass, awnless brome grass, buckwheat, clover, field corn, Kafir corn, meadow fescue, flax, millet, oats, orchard grass, rape, redtop, rye, sorghum, timothy, and wheat, or mixtures of seeds containing any of such seeds as one of the principal component parts, which are adulterated or unfit for seeding purposes under the terms of this Act, is hereby prohibited; and the Secretary of the Treasury and the Secretary of Agriculture shall, jointly or severally, make such rules and regulations as will prevent the importation of such seeds into the United States: *Provided, however*, That such seed may be delivered to the owner or consignee thereof under bond, to be recleaned in accordance with and subject to such regulations as the Secretary of the Treasury may prescribe, and when cleaned to the standard of purity specified in this Act for admission into the United States such seed may be released to the owner or consignee thereof after the screenings and other refuse removed from such seed shall have been disposed of in a manner prescribed by the Secretary of Agriculture: *Provided further*, That this Act shall not apply to the importation of barley, buckwheat, field corn, Kafir corn, sorghum, flax, oats, rye, or wheat not intended for seeding purposes, when shipped in bond through the United States or imported for the purpose of manufacture, but such shipment shall be subject to provisions of the Act of August fifth, nineteen hundred and nine.

Act August 24, 1912, c. 382, s. 1, 37 Stat. 506.

Adulteration; red clover; alfalfa; other seeds.

SEC. 2. That seed shall be considered adulterated within the meaning of this Act—

First. When seed of red clover contains more than three per centum by weight of seed of yellow trefoil, or any other seed of similar appearance to and of lower market value than seed of red clover.

Second. When seed of alfalfa contains more than three per centum by weight of seed of yellow trefoil, burr clover and sweet clover, singly or combined.

Third. When any kind or variety of the seeds, or any mixture described in section one of this Act, contains more than five per centum by weight of seed of another kind or variety of lower market value and of similar appearance: *Provided*, That the mixture of the seed of white and alsike clover, red and alsike clover, or alsike clover and timothy, shall not be deemed an adulteration under this section.

Act August 24, 1912, c. 382, s. 2, 37 Stat. 507.

Unfit for seeding purposes; clover and alfalfa; other seeds.

SEC. 3. That seed shall be considered unfit for seeding purposes within the meaning of this Act—

First. When any kind or variety of clover or alfalfa seed contains more than one seed of dodder to five grams of clover or alfalfa seed, respectively.

Second. When any kind or variety of the seeds or any mixture described in section one of this Act contains more than three per centum by weight of seeds of weeds.

Act August 24, 1912, c. 382, s. 3, 37 Stat. 507.

Violation of act; penalty; sale for seeding purposes of seeds imported for manufacturing purposes.

SEC. 4. That any person or persons who shall knowingly violate the provisions of this Act, shall be deemed guilty of a misdemeanor

and shall pay a fine of not exceeding five hundred dollars and not less than two hundred dollars: *Provided*, That any person or persons who shall knowingly sell for seeding purposes seeds or grain which were imported under the provisions of this Act for the purpose of manufacture shall be deemed guilty of a violation of this Act.

Act August 24, 1912, c. 382, s. 4, 37 Stat. 507.

ACT MAY 23, 1908, c. 192. (35 Stat. 251.)

Establishing standards of grades of cotton.

To enable the Secretary of Agriculture to establish a standard for the different grades of cotton, calling to his assistance for that purpose expert cotton classifiers, by fixing a standard of middling cotton and, using the same as a basis, establishing a standard of nine different grades to be designated middling fair, strict good middling, good middling, strict middling, middling, strict low middling, low middling, strict good ordinary, and good ordinary, which shall be the official standard of cotton classifications. And the Secretary of Agriculture is authorized and directed to prepare in practical form the standard of said grades and furnish the same upon request to any person, the cost thereof to be paid, when delivered, by the person requesting the same, and certified under the signature of the said Secretary and the seal of his department.

Act May 23, 1908, c. 192, 35 Stat. 256.

These are provisions of the agricultural appropriation act for the fiscal year 1909, cited above.

Appropriations for investigating the handling, grading, etc., of cotton, and the establishment of standards for the different grades thereof and for carrying into effect the provisions of law relating thereto, are contained in the similar appropriation acts for subsequent fiscal years. The provision of the act for the fiscal year 1913 is set forth on p. 83, *post*.

Examinations of and reporting on samples of seed or grain; fixing of grades; certificates of inspection.

To enable the Secretary of Agriculture to establish and maintain, at such points as he may deem expedient, laboratories for the purpose of examining and reporting upon the nature, quality, and condition of any sample, parcel, or consignment of seed or grain, including rent and the employment of labor in the city of Washington and elsewhere; and the Secretary of Agriculture is authorized to report upon such samples, parcels, or consignments, from time to time, and the reports so made shall serve as a basis for the fixing of definite grades, and also for the issuance of certificates of inspection when requested by the consignor or consignee of any grain entering into foreign commerce.

Act May 23, 1908, c. 192, 35 Stat. 257.

This is a provision of the agricultural appropriation act for the fiscal year 1909, cited above. Provisions in the same words are contained in the similar appropriation acts for the two preceding fiscal years.

Appropriations for investigating the handling, grading, and transportation of grain and the fixing of definite grades thereof, are contained in the similar appropriation acts for the subsequent fiscal years. The appropriation in the act for the fiscal year 1913 is set forth on p. 83, *post*.

ACT AUGUST 3, 1912, c. 273. An act to establish a standard barrel and standard grades for apples when packed in barrels, and for other purposes. (37 Stat. 250.)

Standard barrel for apples; dimensions and capacity.

That the standard barrel for apples shall be of the following dimensions when measured without distention of its parts: Length of

stave, twenty-eight and one-half inches; diameter of head, seventeen and one-eighth inches; distance between heads, twenty-six inches; circumference of bulge, sixty-four inches outside measurement, representing as nearly as possible seven thousand and fifty-six cubic inches: *Provided*, That steel barrels containing the interior dimensions provided for in this section shall be construed as a compliance therewith.

Act August 3, 1912, c. 273, s. 1, 37 Stat. 250.

Standard grades for apples shipped in interstate or foreign commerce; definition.

SEC. 2. That the standard grades for apples when packed in barrels which shall be shipped or delivered for shipment in interstate or foreign commerce, or which shall be sold or offered for sale within the District of Columbia or the Territories of the United States shall be as follows: Apples of one variety, which are well-grown specimens, hand picked, of good color for the variety, normal shape, practically free from insect and fungous injury, bruises, and other defects, except such as are necessarily caused in the operation of packing, or apples of one variety which are not more than ten per centum below the foregoing specifications shall be "Standard grade minimum size two and one-half inches," if the minimum size of the apples is two and one-half inches in transverse diameter; "Standard grade minimum size two and one-fourth inches," if the minimum size of the apples is two and one-fourth inches in transverse diameter; or "Standard grade minimum size two inches," if the minimum size of the apples is two inches in transverse diameter.

Act August 3, 1912, c. 273, s. 2, 37 Stat. 250.

Branding of barrels.

SEC. 3. That the barrels in which apples are packed in accordance with the provision of this Act may be branded in accordance with section two of this Act.

Act August 3, 1912, c. 273, s. 3, 37 Stat. 251.

Barrels deemed below standard if misbranded as to capacity; style of marking barrels.

SEC. 4. That all barrels packed with apples shall be deemed to be below standard if the barrel bears any statement, design, or device indicating that the barrel is a standard barrel of apples, as herein defined, and the capacity of the barrel is less than the capacity prescribed by section one of this Act, unless the barrel shall be plainly marked on end and side with words or figures showing the fractional relation which the actual capacity of the barrel bears to the capacity prescribed by section one of this Act. The marking required by this paragraph shall be in block letters of size not less than seventy-two point one-inch gothic.

Act August 3, 1912, c. 273, s. 4, 37 Stat. 251.

Barrels deemed misbranded; contents below standard required; failure to state variety, locality, packer, etc.

SEC. 5. That barrels packed with apples shall be deemed to be misbranded within the meaning of this Act—

First. If the barrel bears any statement, design, or device indicating that the apples contained therein are "Standard" grade and the

Apples when packed do not conform to the requirements presented in section two of the Act.

Section 2. If the barrel bears any statement, design, or device indicating that the apples contained therein are "Standard" grade and the barrel fails to bear also a statement of the name of the variety, the name of the locality where grown, and the name of the packer or the person by whose authority the apples were packed and the barrel marked.

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Section 2. That any person who is a resident of a foreign country who knowingly gives or causes to be given supplies in Germany or who knowingly sells or gives for sale such supplies in violation of the provisions of this Act shall be liable as a traitor to the United States; and each such person shall be liable to the same extent as if he were an agent of the United States in the same manner as the United States is liable.

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The first of these is the fact that the
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 The third is that the system is not a
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 The fourth is that the system is not a
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forty dollars; one laboratory aid, one thousand three hundred and eighty dollars; three laboratory aids, at one thousand two hundred dollars each; one laboratory aid, one thousand and eighty dollars; two laboratory aids, at one thousand and twenty dollars each; five laboratory aids, at eight hundred and forty dollars each; six laboratory aids, at seven hundred and twenty dollars each; six laboratory aids, at six hundred dollars each; one laboratory apprentice, seven hundred and twenty dollars; one map tracer, seven hundred and twenty dollars; one map tracer, six hundred dollars; one gardener, one thousand four hundred and forty dollars; two gardeners, at one thousand two hundred dollars each; one gardener, one thousand one hundred dollars; two gardeners or assistants, at one thousand dollars each; seven gardeners, at nine hundred dollars each; four gardeners, at eight hundred and forty dollars each; four gardeners, at seven hundred and eighty dollars each; eight gardeners, at seven hundred and twenty dollars each; five gardeners, at six hundred and sixty dollars each; two gardeners, at six hundred dollars each; one skilled laborer, nine hundred dollars; four skilled laborers, at eight hundred and forty dollars each; one mechanic, one thousand three hundred and eighty dollars; one mechanic, one thousand two hundred and sixty dollars; one mechanical assistant, one thousand two hundred dollars; one mechanic, nine hundred and sixty dollars; one mechanic, nine hundred dollars; one carpenter, nine hundred dollars; one painter, seven hundred and twenty dollars; one teamster, six hundred dollars; fifteen laborers, at five hundred and forty dollars each; twenty-four laborers, messengers, or messenger boys, at four hundred and eighty dollars each; five laborers or charwomen, at four hundred and eighty dollars each; two laborers or charwomen, at three hundred and sixty dollars each; two laborers, at four hundred and twenty dollars each; seven charwomen, at two hundred and forty dollars each; seven messenger boys, at three hundred and sixty dollars each; four messenger boys, at three hundred dollars each; in all, three hundred and seventy-nine thousand eight hundred and twenty dollars.

GENERAL EXPENSES, BUREAU OF PLANT INDUSTRY: For all necessary expenses in the investigation of fruits, fruit trees, grain, cotton, tobacco, vegetables, grasses, forage, drug, medicinal, poisonous, fiber, and other plants and plant industries, in cooperation with other branches of the department, the State experiment stations, and practical farmers, and for the erection of necessary farm buildings: *Provided*, That the cost of any building erected shall not exceed one thousand five hundred dollars; for field and station expenses, including fences, drains, and other farm improvements: *And provided further*, That the money already appropriated for "General expenses, Bureau of Plant Industry, fiscal year nineteen hundred and twelve," is hereby made available for the erection of necessary farm buildings, provided the cost of any building erected shall not exceed one thousand five hundred dollars; and for field-station expenses, including fences, drains, and other farm improvements; for repairs in the District of Columbia and elsewhere; for rent outside of the District of Columbia; and for the employment of all investigators, local and special agents, agricultural explorers, experts, clerks, illustrators, assistants, and all labor and other necessary expenses in the city of Washington and

elsewhere required for the investigations, experiments, and demonstrations herein authorized, as follows:

For investigations of plant diseases and pathological collections, twenty-five thousand dollars;

For the control of diseases of orchard and other fruits, forty thousand six hundred and seventy-five dollars;

For the control of diseases of forest and ornamental trees and shrubs, twenty-nine thousand five hundred and ten dollars;

For the control of diseases of cotton, truck, and forage crops and related plants, twenty-two thousand dollars;

For investigating the physiology of crop plants and for testing and breeding varieties thereof, thirty thousand three hundred and eighty dollars;

For soil-bacteriology and plant-nutrition investigations, twenty-six thousand one hundred and forty-five dollars;

For acclimatization and adaptation investigations of cotton, corn, and other crops introduced from tropical regions, and for the improvement of cotton by cultural methods, breeding, and selection, thirty-three thousand three hundred dollars;

For drug plant, poisonous plant, tea culture, and general physiological and fermentation investigations, forty-six thousand nine hundred and thirty dollars;

For crop technological and fiber plant investigations, ten thousand and ten dollars;

For investigating the ginning, handling, grading, baling, and wrapping of cotton, and the establishment of standards for the different grades thereof, and for carrying into effect the provisions of law relating thereto, twenty-six thousand dollars: *Provided*, That not to exceed eight thousand dollars of this amount may be used for the purchase of spinning machinery in order to conduct the necessary tests in connection with the ginning, handling, and grading of cotton;

For investigating the handling, grading, and transportation of grain, and the fixing of definite grades thereof, fifty-five thousand six hundred and forty dollars;

For physical investigations in connection with the various lines of work herein authorized, fifteen thousand six hundred and fifty-five dollars;

To collect, purchase, propagate, test, and experiment with seeds of interest to agriculture, including rare new seeds, bulbs, trees, shrubs, vines, cuttings, and plants, fifty-two thousand four hundred and thirty dollars, of which amount forty thousand dollars shall be used for the purchase and distribution of drought-resistant field seeds;

For studying and testing commercial seeds, including the testing of samples of seeds of grasses, clover, or alfalfa secured in the open market, * * * twenty-three thousand five hundred and thirty dollars;

The portion of this paragraph here omitted, relating to the publication of the results of tests where seeds are found adulterated or misbranded, and the names of persons by whom they were offered for sale, is set forth on p. 77, *ante*.

For the investigation and improvement of cereals and methods of cereal production, and the study of cereal diseases, eighty thousand seven hundred and sixty-five dollars;

For the investigation and improvement of tobacco and the methods of tobacco production and handling, twenty-six thousand six hundred and thirty dollars;

For the investigation and improvement of forage crops and methods of forage-crop production, twenty thousand dollars;

For testing and breeding fibrous plants, including the testing of flax straw, in cooperation with the North Dakota Agricultural College, which may be used for paper making, twelve thousand five hundred and eighty dollars;

For the breeding and physiological study of alkali-resistant and drought-resistant crops, eighteen thousand one hundred and forty dollars;

For the investigation and improvement of sugar-producing plants, including their utilization and culture, thirty-five thousand seven hundred and ninety-five dollars;

For taxonomic investigations and the study of methods for the improvement of grazing lands, twenty-one thousand nine hundred and thirty-dollars;

To investigate and encourage the adoption of improved methods of farm management and farm practice, and for farm demonstration work, three hundred thousand dollars: *Provided*, That of the amount hereby appropriated the sum of ten thousand dollars may be used in the investigation and utilization of cacti and other dry-land plants as food for stock;

For farmers' cooperative demonstrations and for the study and demonstration of the best methods of meeting the ravages of the cotton-boll weevil, three hundred and thirty-two thousand nine hundred and sixty dollars;

For the investigation and improvement of methods of crop production under semiarid or dry-land conditions, one hundred and twenty-five thousand dollars: *Provided, however*, That the sum of fifty thousand dollars of this amount, or so much thereof as may be necessary, shall be used for the purchase of land and equipment and the construction of buildings necessary to establish, equip, and maintain an experimental farm in the northern section of the Great Plains area to demonstrate the kind and character of plants, shrubs, trees, berries, and vegetables best adapted to the climate and soil of the semiarid lands of the United States: *Provided further*, That the limitation in this Act as to the cost of farm buildings shall not apply to this paragraph;

For studying methods of clearing off "logged-off" lands with a view to their utilization for agricultural and dairying purposes; for their irrigation; for testing powders in clearing them; and for the utilization of by-products arising in the process of clearing, in cooperation with the States, companies, or individuals, or otherwise, five thousand dollars;

For investigations in connection with western irrigation agriculture, the utilization of lands reclaimed under the reclamation Act, and other areas in the arid and semiarid regions, sixty-nine thousand six hundred dollars;

For the investigation and improvement of fruits, and the methods of fruit growing, harvesting, packing, storing, handling, and shipping, and for experimental shipments of fruits within the United

States and to foreign countries, eighty-six thousand and fifteen dollars;

To cultivate and care for experimental gardens and grounds, manage and maintain conservatories, greenhouses, and plant and fruit propagating houses, thirteen thousand and ten dollars;

For continuing the necessary improvements to establish and maintain a general experiment farm and agricultural station on the Arlington estate, in the State of Virginia, in accordance with the provisions of the Act of Congress approved April eighteenth, nineteen hundred, and for other general horticultural investigations, thirty-six thousand nine hundred and twenty dollars;

For general administrative expenses connected with the above-mentioned lines of investigation, including the office of the chief of bureau, the assistant chief of bureau, the chief clerk, the officer in charge of publications, records, supplies, and property, and for miscellaneous expenses incident thereto, thirty-six thousand five hundred and thirty dollars;

In all, for general expenses, one million six hundred and fifty-eight thousand and eighty dollars.

* * * * * *

The portion of this act, here omitted, relating to the purchase, propagation, testing, and distribution of valuable seeds, etc., and plants, is set forth on p. 75, *ante*.

Total for Bureau of Plant Industry, two million three hundred and twenty-three thousand five hundred and eighty dollars.

Act August 10, 1912, c. 284, 37 Stat. 274.

To enable the Secretary of Agriculture to meet the emergency caused by the continuous spread of the chestnut-bark disease by continuing the study of the nature and habits of the parasitic fungus causing the disease, for the purpose of discovering new methods of control, and by putting into application methods of control already discovered, eighty thousand dollars, of which sum thirty thousand dollars shall be immediately available, and the Secretary of Agriculture is hereby authorized to expend said appropriation in such manner as he shall deem best, in cooperation with the authorities of the States concerned or with individuals, and to pay all necessary expenses for the employment of investigators, local and special agents, experts, assistants, and all labor and other necessary expenses, including rent, in the District of Columbia and elsewhere, as may be required: *Provided*, That of this sum not exceeding ten thousand dollars shall be used in the study of the relation of insects to the chestnut-bark disease.

To enable the Secretary of Agriculture to investigate the cultivation, acclimating and development of the most nutritious and productive types of potatoes, and for the purpose of experimentation and development of American sugar-beet seed adapted to the irrigated lands of the arid West, ten thousand dollars.

Act August 10, 1912, c. 284, 37 Stat. 301.

These are further provisions of the agricultural appropriation act for the fiscal year 1913, cited above. The last two paragraphs are contained under the heading "Miscellaneous."

FOREST SERVICE.

ACT MARCH 2, 1901, c. 805. (31 Stat. 922.)

Chief of bureau.

* * * One forester, who shall be chief of bureau, * * *

Act. March 2, 1901, c. 805, 31 Stat. 929.

This is a provision of the agricultural appropriation act for the fiscal year 1902, cited above. Provisions in the same words are contained in the similar acts for subsequent fiscal years. The provision in the act for the fiscal year 1913 is set forth on p. 173, *post*. Previous to the reorganization of the Division of Forestry into the Bureau of Forestry, by a provision of act June 3, 1902, c. 985, set forth on p. 11, *ante*, the agricultural appropriation acts. for the fiscal years 1895 to 1901, inclusive, contained provisions for "One forester, who shall be chief of division."

ACT JUNE 3, 1902, c. 985. (32 Stat. 286.)

Establishment of Bureau of Forestry.

All existing statutes relating to the Division of Forestry, reorganized into the Bureau of Forestry, not otherwise repealed, are continued in effect as applying to the bureau into which the division is reorganized, by a proviso annexed to the agricultural appropriation act for the fiscal year 1903, cited above, set forth on p. 11, *ante*.

ACT FEBRUARY 1, 1905, c. 288. An act providing for the transfer of forest reserves from the Department of the Interior to the Department of Agriculture. (33 Stat. 628.)

Secretary of Agriculture to execute laws affecting forest reserves; exceptions.

That the Secretary of the Department of Agriculture shall, from and after the passage of this Act, execute or cause to be executed all laws affecting public lands heretofore or hereafter reserved under the provisions of section twenty-four of the Act entitled "An Act to repeal the timber-culture laws, and for other purposes," approved March third, eighteen hundred and ninety-one, and Acts supplemental to and amendatory thereof, after such lands have been so reserved, excepting such laws as affect the surveying, prospecting, locating, appropriating, entering, relinquishing, reconveying, certifying, or patenting of any of such lands.

Act February 1, 1905, c. 288, s. 1, 33 Stat. 628.

Act March 3, 1891, c. 561, s. 24, mentioned in this section, is set forth below.

ACT MARCH 3, 1899, c. 424. (30 Stat. 1074.)

Establishment of boundaries of forest reservations.

* * * That hereafter all standard, meander, township, and section lines of the public land surveys shall, as heretofore, be established under the direction and supervision of the Commissioner of the General Land Office, whether the lands to be surveyed are within or without reservations, except that where the exterior boundaries of public forest reservations are required to be coincident with standard, township, or section lines such boundaries may, if not previously established in the ordinary course of the public land surveys, be established and marked under the supervision of the Director of the United States Geological Survey whenever necessary to complete the survey of such exterior boundaries.

Act March 3, 1899, c. 424, 30 Stat. 1097.

This is a proviso annexed to the sundry civil appropriation act for the fiscal year 1900, cited above.

ACT MARCH 3, 1891, c. 561. (26 Stat. 1095.)

Establishment of forest reservations.

SEC. 24. That the President of the United States may, from time to time, set apart and reserve, in any State or Territory having public land bearing forests, in any part of the public lands wholly or in part covered with timber or undergrowth, whether of commercial value or not, as public reservations, and the President shall, by public proclamation, declare the establishment of such reservations and the limits thereof.

Act March 3, 1891, c. 561, s. 24, 26 Stat. 1103.

This section is a portion of "An act to repeal timber-culture laws, and for other purposes," cited above.

ACT MARCH 4, 1907, c. 2907. (34 Stat. 1256.)

Forest reserves to be known as national forests.

* * * forest reserves * * * shall be known hereafter as national forests * * *

Act March 4, 1907, c. 2907, 34 Stat. 1269.

This is a provision of the agricultural appropriation act for the fiscal year 1908, cited above.

ACT JUNE 4, 1897, c. 2. (30 Stat. 11.)

Revocation, modification, or suspension of Executive orders establishing forest reservations; orders setting aside lands in certain States, suspended.

* * * That, to remove any doubt which may exist pertaining to the authority of the President thereunto [public lands that may have been or may hereafter be designated as forest reserves by Executive proclamation, under section twenty-four of the Act of Congress approved March third, eighteen hundred and ninety-one, entitled "An Act to repeal timber-culture laws, and for other purposes,"], the President of the United States is hereby authorized and empowered to revoke, modify, or suspend any and all such Executive orders and proclamations, or any part thereof, from time to time as he shall deem best for the public interests: *Provided*, That the Executive orders and proclamations dated February twenty-second, eighteen hundred and ninety-seven, setting apart and reserving certain lands in the States of Wyoming, Utah, Montana, Washington, Idaho, and South Dakota as forest reservations, be, and they are hereby, suspended, and the lands embraced therein restored to the public domain the same as though said orders and proclamations had not been issued: *Provided further*, That lands embraced in said reservations not otherwise disposed of before March first, eighteen hundred and ninety-eight, shall again become subject to the operations of said orders and proclamations as now existing or hereafter modified by the President.

Act June 4, 1897, c. 2, s. 1, 30 Stat. 34.

These are provisos of the sundry civil appropriation act for the fiscal year 1898, cited above.

The provisions of act March 3, 1891, c. 561, s. 24, referred to in this paragraph, are set forth above.

By a provision of act March 4, 1907, c. 2907, set forth on p. 91, *post*, no forest reserve shall be created nor additions made to existing forest reserves, within the States of Oregon, Wyoming, Idaho, Montana, Colorado, or Wyoming, except by act of Congress.

Purposes for which forest reserves may be administered and established.

All public lands heretofore designated and reserved by the President of the United States under the provisions of the Act approved March third, eighteen hundred and ninety-one, the orders for which shall be and remain in full force and effect, unsuspended and unrevoked, and all public lands that may hereafter be set aside and reserved as public forest reserves under said Act, shall be as far as practicable controlled and administered in accordance with the following provisions:

No public forest reservation shall be established, except to improve and protect the forest within the reservation, or for the purpose of securing favorable conditions of water flows, and to furnish a continuous supply of timber for the use and necessities of citizens of the United States; but it is not the purpose or intent of these provisions, or of the Act providing for such reservations, to authorize the inclusion therein of lands more valuable for the mineral therein, or for agricultural purposes, than for forest purposes.

Protection of forest reserves; rules and regulations therefor.

The Secretary of the Interior shall make provisions for the protection against destruction by fire and depredations upon the public forests and forest reservations which may have been set aside or which may be hereafter set aside under the said Act of March third, eighteen hundred and ninety-one, and which may be continued; and he may make such rules and regulations and establish such service as will insure the objects of such reservations, namely, to regulate their occupancy and use and to preserve the forests thereon from destruction; and any violation of the provisions of this Act or such rules and regulations shall be punished as is provided for in the Act of June fourth, eighteen hundred and eighty-eight, amending section fifty-three hundred and eighty-eight of the Revised Statutes of the United States.

Act June 4, 1897, c. 2, s. 1, 30 Stat. 34.

These are further provisions of the sundry civil appropriation act for the fiscal year 1898, cited above.

The provisions of act March 3, 1891, c. 561, s. 24, referred to above, are set forth above.

The provisions of Rev. St. sec. 5388, as amended by act June 4, 1888, c. 340, 25 Stat. 166, mentioned above, are incorporated in "An act to codify, revise, and amend the penal laws of the United States," act March 4, 1909, c. 321, s. 50, set forth on p. 105, *post*. Said Rev. St. sec. 5388 and said act June 4, 1888, are expressly repealed by section 341 of said act March 4, 1909.

The Secretary of Agriculture shall execute all laws affecting public lands reserved under the provisions of act March 3, 1891, c. 561, s. 24, except such laws as affect the surveying, prospecting, locating, entering, etc., and patenting of such lands, by the provisions of "An act providing for the transfer of forest reserves from the Department of the Interior to the Department of Agriculture," act February 1, 1905, c. 288, s. 1, set forth on p. 86, *ante*.

Sale of timber on forest reservations.

For the purpose of preserving the living and growing timber and promoting the younger growth on forest reservations, the Secretary of the Interior, under such rules and regulations as he shall prescribe, may cause to be designated and appraised so much of the dead, matured, or large growth of trees found upon such forest reserva-

tions as may be compatible with the utilization of the forests thereon, and may sell the same for not less than the appraised value in such quantities to each purchaser as he shall prescribe, to be used in the State or Territory in which such timber reservation may be situated, respectively, but not for export therefrom. Before such sale shall take place notice thereof shall be given by the Commissioner of the General Land Office, for not less than thirty days, by publication in one or more newspapers of general circulation, as he may deem necessary, in the State or Territory where such reservation exists: *Provided, however*, That in cases of unusual emergency the Secretary of the Interior may, in the exercise of his discretion, permit the purchase of timber and cord wood in advance of advertisement of sale at rates of value approved by him and subject to payment of the full amount of the highest bid resulting from the usual advertisement of sale: *Provided further*, That he may, in his discretion, sell without advertisement, in quantities to suit applicants, at a fair appraisement, timber and cord wood not exceeding in value one hundred dollars stumpage: *And provided further*, That in cases in which advertisement is had and no satisfactory bid is received, or in cases in which the bidder fails to complete the purchase, the timber may be sold, without further advertisement, at private sale, in the discretion of the Secretary of the Interior, at not less than the appraised valuation, in quantities to suit purchasers: *And provided further*, That the provisions of this Act shall not apply to existing forest reservations in the State of California, or to reservations that may be hereafter created within said State; payments for such timber to be made to the receiver of the local land office of the district wherein said timber may be sold, under such rules and regulations as the Secretary of the Interior may prescribe; and the moneys arising therefrom shall be accounted for by the receiver of such land office to the Commissioner of the General Land Office, in a separate account, and shall be covered into the Treasury. Such timber before being sold, shall be marked and designated, and shall be cut and removed under the supervision of some person appointed for that purpose by the Secretary of the Interior, not interested in the purchase or removal of such timber nor in the employment of the purchaser thereof. Such supervisor shall make report in writing to the Commissioner of the General Land Office and to the receiver in the land office in which such reservation shall be located of his doings in the premises.

Act June 4, 1897, c. 2, s. 1, 30 Stat. 35.

These are further provisions of the sundry civil appropriation act for the fiscal year 1898, cited above, as amended by act June 6, 1900, c. 804, 31 Stat. 661.

The proviso of this paragraph that the provisions of this act shall not apply to forest reservations in California, is superseded by a provision of act June 30, 1906, c. 3913, set forth on p. 92, *post*, that sales of timber on forest reserves in the State of California shall in every respect conform to the provisions of act June 6, 1900, c. 804, 31 Stat. 661, amending this paragraph, here set forth as amended.

See note under the preceding paragraph relating to the execution of laws affecting forest reservations, by the Secretary of Agriculture.

Use of timber and stone on forest reservations, by settlers, miners, residents, and prospectors.

The Secretary of the Interior may permit, under regulations to be prescribed by him, the use of timber and stone found upon such

reservations, free of charge, by bona fide settlers, miners, residents, and prospectors for minerals, for firewood, fencing, buildings, mining, prospecting, and other domestic purposes, as may be needed by such persons for such purposes; such timber to be used within the State or Territory, respectively, where such reservations may be located.

Egress or ingress to actual settlers in forest reservations; prospecting, locating, and developing mineral resources.

Nothing herein shall be construed as prohibiting the egress or ingress of actual settlers residing within the boundaries of such reservations, or from crossing the same to and from their property or homes; and such wagon roads and other improvements may be constructed thereon as may be necessary to reach their homes and to utilize their property under such rules and regulations as may be prescribed by the Secretary of the Interior. Nor shall anything herein prohibit any person from entering upon such forest reservations for all proper and lawful purposes, including that of prospecting, locating, and developing the mineral resources thereof: *Provided*, That such persons comply with the rules and regulations covering such forest reservations.

Act June 4, 1897, c. 2, s. 1, 30 Stat. 35.

These are further provisions of the sundry civil appropriation act for the fiscal year 1898, cited above.

Act February 20, 1896, c. 28, 29 Stat. 11, provides that certain forest reservations in the State of Colorado shall be open to the location of mining claims for certain metals, and authorizes owners of such claims to fell and remove therefrom timber for mining purposes.

See note under the fourth paragraph of this act as here set forth, relating to the execution of laws affecting forest reservations by the Secretary of Agriculture.

Selection of land in lieu of land in forest reservations.

That in cases in which a tract covered by an unperfected bona fide claim or by a patent is included within the limits of a public forest reservation, the settler or owner thereof may, if he desires to do so, relinquish the tract to the Government, and may select in lieu thereof a tract of vacant land open to settlement not exceeding in area the tract covered by his claim or patent; and no charge shall be made in such cases for making the entry of record or issuing the patent to cover the tract selected: *Provided further*, That in cases of unperfected claims the requirements of the laws respecting settlement, residence, improvements, and so forth, are complied with on the new claims, credit being allowed for the time spent on the relinquished claims.

Act June 4, 1897, c. 2, s. 1, 30 Stat. 36.

These are further provisions of the sundry civil appropriation act for the fiscal year 1898, cited above.

The provisions of this paragraph for selection of lands in lieu of tracts covered by an unperfected bona fide claim or patent within a forest reservation, are confined to vacant, surveyed, non-mineral public lands subject to homestead entry, by provisions of act March 3, 1901, c. 831, set forth on p. 96, *post*, and also act June 6, 1900, c. 791, 31 Stat. 614. The above provisions of this act and the said provisions of act June 6, 1900, and act March 3, 1901, are expressly repealed by provisions of act March 3, 1905, c. 1495, set forth on p. 96, *post*, except as to selections theretofore made.

Sites for schools and churches in forest reservations.

The settlers residing within the exterior boundaries of such forest reservations, or in the vicinity thereof, may maintain schools and churches within such reservation, and for that purpose may occupy any part of the said forest reservation, not exceeding two acres for each schoolhouse and one acre for a church.

Civil and criminal jurisdiction over persons within forest reservations.

The jurisdiction, both civil and criminal, over persons within such reservations shall not be affected or changed by reason of the existence of such reservations, except so far as the punishment of offenses against the United States therein is concerned; the intent and meaning of this provision being that the State wherein any such reservation is situated shall not, by reason of the establishment thereof, lose its jurisdiction, nor the inhabitants thereof their rights and privileges as citizens, or be absolved from their duties as citizens of the State.

Use of waters on forest reservations.

All waters on such reservations may be used for domestic, mining, milling, or irrigation purposes, under the laws of the State wherein such forest reservations are situated, or under the laws of the United States and the rules and regulations established thereunder.

Restoration of mineral or agricultural lands within forest reservations to public domain.

Upon the recommendation of the Secretary of the Interior, with the approval of the President, after sixty days' notice thereof, published in two papers of general circulation in the State or Territory wherein any forest reservation is situated, and near the said reservation, any public lands embraced within the limits of any forest reservation which, after due examination by personal inspection of a competent person appointed for that purpose by the Secretary of the Interior, shall be found better adapted for mining or for agricultural purposes than for forest usage, may be restored to the public domain. And any mineral lands in any forest reservation which have been or which may be shown to be such, and subject to entry under the existing mining laws of the United States and the rules and regulations applying thereto, shall continue to be subject to such location and entry, notwithstanding any provisions herein contained.

Modification and vacation of orders establishing forest reservations.

The President is hereby authorized at any time to modify any Executive order that has been or may hereafter be made establishing any forest reserve, and by such modification may reduce the area or change the boundary lines of such reserve, or may vacate altogether any order creating such reserve.

Act June 4, 1897, c. 2, s. 1, 30 Stat. 36.

These are further provisions of the sundry civil appropriation act for the fiscal year 1898, cited above.

ACT MARCH 4, 1907, c. 2907. (34 Stat. 1256.)

Establishment of, or additions to, forest reserves in Oregon, Washington, Idaho, Montana, Colorado, or Wyoming, prohibited except by act of Congress.

* * * That hereafter no forest reserve shall be created, nor shall any additions be made to one heretofore created within the

limits of the States of Oregon, Washington, Idaho, Montana, Colorado, or Wyoming, except by Act of Congress.

Act March 4, 1907, c. 2907, 34 Stat. 1271.

This is a proviso annexed to the appropriation for administration, etc., of the national forests in the agricultural appropriation act for the fiscal year 1908. A proviso in the same words was annexed to section 2, act June 25, 1910, c. 421, and the word "California" is added by act August 24, 1912, c. 369, amending said act June 25, 1910, c. 421, s. 2. Said act June 25, 1910, c. 421, s. 2, as amended by said act August 24, 1912, is set forth on p. 97, *post*.

ACT JUNE 30 1906, c. 3913. (34 Stat. 669.)

Permission to remove timber and other forest products from national forests.

* * * hereafter sales of timber on forest reserves in the State of California shall in every respect conform to the law governing such sales in other States, as set forth in the act of June sixth, nineteen hundred (Thirty-first Statutes at Large, page six hundred and sixty-one); * * *

Act June 30, 1906, c. 3913, 34 Stat. 684.

This is a provision of the agricultural appropriation act for the fiscal year 1907, cited above.

Act June 6, 1900, c. 804, 31 Stat. 661, mentioned in this provision, expressly amends act June 4, 1897, c. 2, s. 1, and the provisions of that act, as amended, are set forth on p. 88, *ante*. By a proviso annexed to said act June 6, 1900, the provisions of said act June 4, 1897, as amended thereby, were made inapplicable to forest reservations in the State of California.

ACT AUGUST 10, 1912, c. 284. (37 Stat. 269.)

Permission to remove timber and other forest products from national forests.

* * * the Secretary of Agriculture may, in his discretion, permit timber and other forest products cut or removed from the national forests, except the Black Hills and Harney National Forests in South Dakota, to be exported from the State, Territory, or the District of Alaska in which said forests are respectively situated: *Provided*, That the exportation of dead and insect-infested timber only from said Black Hills and Harney National Forests shall be allowed until such time as the Forester shall certify that the ravages of the destructive insects in said forests are practically checked, but in no case after July first, nineteen hundred and fourteen; * * *

Act August 10, 1912, c. 284, 37 Stat. 280.

These are provisions of the agricultural appropriation act for the fiscal year 1913, cited above. Similar provisions are contained in the similar acts for previous fiscal years beginning with 1906.

Sale of mature, dead, and down timber in national forests.

* * * That the Secretary of Agriculture, under such rules and regulations as he shall establish, is hereby authorized and directed to sell at actual cost, to homestead settlers and farmers, for their domestic use, the mature, dead, and down timber in national forests, but it is not the intent of this provision to restrict the authority of the Secretary of Agriculture to permit the free use of timber as provided in the Act of June fourth, eighteen hundred and ninety-seven.

Act August 10, 1912, c. 284, 37 Stat. 287.

This is a provision of the agricultural appropriation act for the fiscal year 1913, cited above.

ACT MARCH 3, 1911, c. 210. (36 Stat. 1053.)

Forest Service to designate certain timber for removal on the Menominee Indian Reservation.

SEC. 26. That upon the passage of this Act the Secretary of the Interior be, and he hereby is, authorized and directed to cause to be cut and manufactured into lumber the dead and down timber now upon the Menominee Indian Reservation in the State of Wisconsin together with such green timber as may be necessary to cut in order to economically log the dead and down timber, such green timber to be designated and marked by the Forestry Service. * * * The total amount of green and dead and down timber which shall be logged under the provisions of this section and the provisions of said Act of March twenty-eighth, nineteen hundred and eight, shall not exceed forty million feet unless the Forestry Service shall certify to the Secretary of the Interior that it is necessary, to save waste and loss on dead and down timber, that a greater amount of such dead and down timber shall be cut; in making such certification the Forestry Service shall designate the additional dead and down timber it deems necessary to cut * * *

Act March 3, 1911, c. 210, s. 26, 36 Stat. 1076.

These are provisions of the Indian appropriation act for the fiscal year 1912, cited above.

ACT FEBRUARY 1, 1905, c. 288. (33 Stat. 628.)

Export of pulp wood or wood pulp from Alaska.

SEC. 2. That pulp wood or wood pulp manufactured from timber in the district of Alaska may be exported therefrom.

Act February 1, 1905, c. 288, s. 2, 33 Stat. 628.

This is a section of an act entitled "An act providing for the transfer of forest reserves from the Department of the Interior to the Department of Agriculture," cited above.

Forest reserve special fund from money received from sale of products or use of land or resources of forest reserves.

SEC. 5. That all money received from the sale of any products or the use of any land or resources of said forest reserves shall be covered into the Treasury of the United States and for a period of five years from the passage of this Act shall constitute a special fund available, until expended, as the Secretary of Agriculture may direct, for the protection, administration, improvement, and extension of Federal forest reserves.

Act February 1, 1905, c. 288, s. 5, 33 Stat. 628.

This is a section of an act entitled "An act providing for the transfer of forest reserves from the Department of the Interior to the Department of Agriculture," cited above.

The special fund provided for in this section for a period of five years was continued until otherwise provided, and the expenditure thereof was regulated by provisions of act June 30, 1906, c. 3913, set forth below. All of these provisions are superseded by provisions of act March 4, 1907, c. 2907, set forth below, and the provisions of that act are amended by provisions of act March 4, 1911, c. 238, set forth below.

ACT JUNE 30, 1906, c. 3913. (34 Stat. 669.)

Forest reserve special fund from money received from sale of products or use of land or resources of forest reserves, continued; expenditures to be submitted in annual Book of Estimates.

That the forest-reserve special fund provided for in section five of the Act approved February first, nineteen hundred and five, entitled

"An Act providing for the transfer of forest reserves from the Department of the Interior to the Department of Agriculture," shall continue until otherwise provided by law; but after June thirtieth, nineteen hundred and eight, it shall not be expended except in accordance with specific estimates of expenditures to be made from said fund for the succeeding fiscal year, to be submitted by the Secretary of Agriculture with the estimates of appropriation in the annual Book of Estimates.

Act June 30, 1906, c. 3913, 34 Stat. 684.

These are provisions of the agricultural appropriation act for the fiscal year 1907, cited above.

Act February 1, 1905, c. 288, s. 5, mentioned in this paragraph, is set forth above.

Provisions for the disposition of all money received after July 1, 1907, by or on account of the Forest Service for timber, or from any other source of forest reservation revenue, contained in act March 4, 1907, c. 2907, are set forth below.

Disposal of moneys received as deposits to secure the purchase price on the sale of products or use of land or resources of forest reserves; refunds to depositors of excess deposited.

* * * hereafter all moneys received as deposits to secure the purchase price on the sale of any products or the use of any land or resources of the forest reserves shall be covered into the Treasury in the manner provided by section five of the Act of Congress approved February first, nineteen hundred and five, entitled "An Act providing for the transfer of forest reserves from the Department of the Interior to the Department of Agriculture," and the fund created by that Act shall be available, as the Secretary of Agriculture may direct, to make refunds to depositors of money heretofore or hereafter deposited by them in excess of amounts actually due to the United States; * * *

Act June 30, 1906, c. 3913, 34 Stat. 684.

These are further provisions of the agricultural appropriation act for the fiscal year 1907, cited above.

Act February 1, 1905, c. 288, s. 5, mentioned above, is set forth above.

These provisions are superseded by provisions for the disposition of all money received after July 1, 1907, by or on account of the Forest Service for timber, or from any other source of forest reservation revenue, contained in act March 4, 1907, c. 2907, set forth below, and the provisions of that act are amended by provisions of act March 4, 1911, c. 238, set forth below.

Disposal of contributions toward cooperative work in forest investigations.

* * * hereafter all moneys received as contributions toward cooperative work in forest investigations shall be covered into the Treasury and shall constitute a special fund, which is hereby appropriated and made available until expended, as the Secretary of Agriculture may direct, for the payment of the expenses of said investigations by the Forest Service and for refunds to the contributors of amounts heretofore or hereafter paid in by them in excess of their share of the cost of said investigations, * * *

Act. June 30, 1906, c. 3913, 34 Stat. 684.

These are further provisions of the agricultural appropriation act for the fiscal year 1907, cited above.

ACT MARCH 4, 1907, c. 2907. (34 Stat. 1256.)

Disposal of money received by or on account of Forest Service for timber, or from other source of forest reservation revenue; refunds to depositors of excess deposited.

* * * That all money received after July first, nineteen hundred and seven, by or on account of the forest service for timber, or

from any other source of forest reservation revenue, shall be covered into the Treasury of the United States as a miscellaneous receipt and there is hereby appropriated and made available as the Secretary of Agriculture may direct out of any funds in the Treasury not otherwise appropriated, so much as may be necessary to make refunds to depositors of money heretofore or hereafter deposited by them to secure the purchase price on the sale of any products or for the use of any land or resources of the national forests in excess of amounts found actually due from them to the United States: * * *

Act March 4, 1907, c. 2907, 34 Stat. 1270.

This is a proviso annexed to the agricultural appropriation act for the fiscal year 1908, cited above.

Previous provisions relating to the disposal of money received from the sale of any products or the use of any land or resources of the forest reserves, contained in act February 1, 1905, c. 288, s. 5, and act June 30, 1906, c. 3913, are set forth above.

These provisions are amended by provisions of act March 4, 1911, c. 238, set forth below.

ACT MARCH 4, 1911, c. 238. (36 Stat. 1235.)

Refund of moneys erroneously collected for use of lands or for timber or other resources sold from lands, within but not part of national forests; report of amounts.

* * * That so much of an Act entitled "An Act making appropriations for the Department of Agriculture for the fiscal year ending June thirtieth, nineteen hundred and eight," approved March fourth, nineteen hundred and seven (Thirty-fourth Statutes at Large, pages twelve hundred and fifty-six and twelve hundred and seventy), which provides for refunds by the Secretary of Agriculture to depositors of moneys to secure the purchase price of timber or the use of lands or resources of the national forests such sums as may be found to be in excess of the amounts found actually due the United States, be, and is hereby, amended hereafter to appropriate and to include so much as may be necessary to refund or pay over to the rightful claimants such sums as may be found by the Secretary of Agriculture to have been erroneously collected for the use of any lands, or for timber or other resources sold from lands located within, but not a part of, the national forests, or for alleged illegal acts done upon such lands, which acts are subsequently found to have been proper and legal; and the Secretary of Agriculture shall make annual report to Congress of the amounts refunded hereunder.

Act March 4, 1911, c. 238, 36 Stat. 1253.

This is a proviso annexed to the agricultural appropriation act for the fiscal year 1912, cited above.

The provision of act March 4, 1907, c. 2907, mentioned and amended by this provision, is set forth above.

ACT MAY 23, 1908, c. 192. (35 Stat. 251.)

Payment of part of money received from each forest reserve to State or Territory for public schools and public roads.

That hereafter twenty-five per centum of all money received from each forest reserve during any fiscal year, including the year ending June thirtieth, nineteen hundred and eight, shall be paid at the end thereof by the Secretary of the Treasury to the State or Territory in which said reserve is situated, to be expended as the State or Territorial legislature may prescribe for the benefit of the public schools

and public roads of the county or counties in which the forest reserve is situated: *Provided*, That when any forest reserve is in more than one State or Territory or county the distributive share to each from the proceeds of said reserve shall be proportional to its area therein.

Act May 23, 1908, c. 192, 35 Stat. 260.

This is a paragraph of the agricultural appropriation act for the fiscal year 1909, cited above.

These provisions supersede similar provisions of act June 30, 1906, c. 3913, 34 Stat. 684, and act March 4, 1907, c. 2907, 34 Stat. 1270, for payment for the same purposes of ten per centum of the money received from each forest reserve, with an additional limitation of the amount payable to any county.

Provisions for payment to the States of New Mexico and Arizona, as income for their common-school funds, of such proportion of the gross proceeds of all national forests within said States as the area of lands granted thereto for school purposes and within such forests may bear to the total area of all national forests within said States, contained in act June 20, 1910, c. 310, are set forth on p. 136, *post*.

ACT MARCH 3, 1901, c. 831. (31 Stat. 1010.)

Selections of land in lieu of land in forest reservations, confined to vacant, surveyed, nonmineral public lands subject to entry.

* * * That all selections of land made in lieu of a tract covered by an unperfected bona fide claim, or by a patent, included within a public forest reservation, as provided in the Act of June fourth, eighteen hundred and ninety-seven, entitled "An Act making appropriations for sundry civil expenses of the Government for the fiscal year ending June thirtieth, eighteen hundred and ninety-eight, and for other purposes," shall be confined to vacant surveyed nonmineral public lands which are subject to homestead entry not exceeding in area the tract covered by such claim or patent: *Provided*, That nothing herein contained shall be construed to affect the rights of those who, previous to October first, nineteen hundred, shall have delivered to the United States deeds for lands within forest reservations and make application for specific tracts of land in lieu thereof.

Act March 3, 1901, c. 831, s. 1, 31 Stat. 1037.

These are provisions of the deficiency appropriation act for the fiscal year 1901, cited above.

Provisions in the same language are contained in the sundry civil appropriation act for the fiscal year 1901, act June 6, 1900, c. 588, s. 1, 31 Stat. 614.

These provisions and also the provisions of act June 4, 1897, c. 2, mentioned in this paragraph and set forth above, are repealed, so far as they provide for the relinquishment, selection, and patenting of lands in lieu of tracts covered by an unperfected bona fide claim or patent within a forest reserve, by a provision of act March 3, 1905, c. 1495, set forth below.

ACT MARCH 3, 1905, c. 1495. An act prohibiting the selection of timber lands in lieu of lands in forest reserves. (33 Stat. 1264.)

Provisions for selection of land in lieu of land in forest reserves, repealed; selections heretofore made.

That the Acts of June fourth, eighteen hundred and ninety-seven, June sixth, nineteen hundred, and March third, nineteen hundred and one, are hereby repealed so far as they provide for the relinquishment, selection, and patenting of lands in lieu of tracts covered by an unperfected bona fide claim or patent within a forest reserve, but the validity of contracts entered into by the Secretary of the Interior

prior to the passage of this Act shall not be impaired: *Provided*, That selections heretofore made in lieu of lands relinquished to the United States may be perfected and patents issue therefor the same as though this Act had not been passed, and if for any reason not the fault of the party making the same any pending selection is held invalid another selection for a like quantity of land may be made in lieu thereof.

Act March 3, 1905, c. 1495, 33 Stat. 1264.

The provisions of act June 4, 1897, c. 2, as amended by act June 6, 1900, c. 804, mentioned and repealed by this act, are set forth on p. 90, *ante*, and the provisions of act March 3, 1901, c. 831, also mentioned and repealed by this act, are set forth above.

ACT JUNE 25, 1910, c. 421. An act to authorize the President of the United States to make withdrawals of public lands in certain cases. (36 Stat. 847.)

Withdrawals from settlement, etc., and entry, and reservation of public lands for water-power sites, irrigation, classification, and other public purposes.

That the President may, at any time in his discretion, temporarily withdraw from settlement, location, sale, or entry any of the public lands of the United States including the District of Alaska and reserve the same for water-power sites, irrigation, classification of lands, or other public purposes to be specified in the orders of withdrawals, and such withdrawals or reservations shall remain in force until revoked by him or by an Act of Congress.

Act June 25, 1910, c. 421, s. 1, 36 Stat. 847.

Lands withdrawn open to exploration, etc., and occupation under mining laws; rights of claimants of ore or gas-bearing lands; lands embraced in homestead, etc., entries excepted from act; establishment of, or additions to, forest reserves in certain States restricted.

SEC. 2. That all lands withdrawn under the provisions of this Act shall at all times be open to exploration, discovery, occupation, and purchase under the mining laws of the United States, so far as the same apply to metalliferous minerals: *Provided*, That the rights of any person who, at the date of any order of withdrawal heretofore or hereafter made, is a bona fide occupant or claimant of oil or gas bearing lands and who, at such date, is in the diligent prosecution of work leading to the discovery of oil or gas, shall not be affected or impaired by such order so long as such occupant or claimant shall continue in diligent prosecution of said work: *Provided further*, That this Act shall not be construed as a recognition, abridgment, or enlargement of any asserted rights or claims initiated upon any oil or gas bearing lands after any withdrawal of such lands made prior to June twenty-fifth, nineteen hundred and ten: *And provided further*, That there shall be excepted from the force and effect of any withdrawal made under the provisions of this Act all lands which are, on the date of such withdrawal, embraced in any lawful homestead or desert-land entry theretofore made, or upon which any valid settlement has been made and is at said date being maintained and perfected pursuant to law; but the terms of this proviso shall not continue to apply to any particular tract of land unless the entryman or settler shall continue to comply with the law under which the entry or settlement was made: *And provided further*, That hereafter no forest reserve shall be created, nor shall any additions be made to one

heretofore created, within the limits of the States of California, Oregon, Washington, Idaho, Montana, Colorado, or Wyoming, except by Act of Congress.

Act June 25, 1910, c. 421, s. 2, 36 Stat. 847.

This section is amended to read as set forth, by act August 24, 1912, c. 369, 37 Stat. 497.

The word "California" in the last proviso of this section is added by the said act August 24, 1912. A proviso in the same words, except the word "California", contained in act March 4, 1907, c. 2907, is set forth on p. 91, *ante*.

Report of withdrawals to Congress.

SEC. 3. That the Secretary of the Interior shall report all such withdrawals to Congress at the beginning of its next regular session after the date of the withdrawals.

Act June 25, 1910, c. 421, s. 3, 36 Stat. 848.

ACT MARCH 1, 1911, c. 186. An act to enable any State to cooperate with any other State or States, or with the United States, for the protection of the watersheds of navigable streams, and to appoint a commission for the acquisition of lands for the purposes of conserving the navigability of navigable rivers. (36 Stat. 961.)

Consent to agreement by States for conservation of forests and water supply.

That the consent of the Congress of the United States is hereby given to each of the several States of the Union to enter into any agreement or compact, not in conflict with any law of the United States, with any other State or States for the purpose of conserving the forests and the water supply of the States entering into such agreement or compact.

Act March 1, 1911, c. 186, s. 1, 36 Stat. 961.

Appropriation for cooperation with States for protection from fire of forested watersheds of navigable streams; agreements with States for system of fire protection; State law required; limitation of expenditures.

SEC. 2. That the sum of two hundred thousand dollars is hereby appropriated and made available until expended, out of any moneys in the National Treasury not otherwise appropriated, to enable the Secretary of Agriculture to cooperate with any State or group of States, when requested to do so, in the protection from fire of the forested watersheds of navigable streams; and the Secretary of Agriculture is hereby authorized, and on such conditions as he deems wise, to stipulate and agree with any State or group of States to cooperate in the organization and maintenance of a system of fire protection on any private or state forest lands within such State or States and situated upon the watershed of a navigable river: *Provided*, That no such stipulation or agreement shall be made with any State which has not provided by law for a system of forest-fire protection: *Provided further*, That in no case shall the amount expended in any State exceed in any fiscal year the amount appropriated by that State for the same purpose during the same fiscal year.

Act March 1, 1911, c. 186, s. 2, 36 Stat. 961.

Appropriations for examination, survey, and acquirement of lands at headwaters of navigable streams.

SEC. 3. That there is hereby appropriated, for the fiscal year ending June thirtieth, nineteen hundred and ten, the sum of one million

dollars, and for each fiscal year thereafter a sum not to exceed two million dollars for use in the examination, survey, and acquirement of lands located on the headwaters of navigable streams or those which are being or which may be developed for navigable purposes: *Provided*, That the provisions of this section shall expire by limitation on the thirtieth day of June, nineteen hundred and fifteen.

Act March 1, 1911, c. 186, s. 3, 36 Stat. 961.

There is appropriated and made available until expended, for carrying out the purposes mentioned in this section, so much of the maximum sums mentioned in this section for the fiscal years 1912 to 1915, inclusive, as shall remain unexpended at the close of each of said fiscal years, by a provision of the agricultural appropriation act for the fiscal year 1913, set forth below.

National Forest Reservation Commission; creation and composition; authority to purchase lands under act; service of members; vacancies.

SEC. 4. That a commission, to be known as the National Forest Reservation Commission, consisting of the Secretary of War, the Secretary of the Interior, the Secretary of Agriculture, and two members of the Senate, to be selected by the President of the Senate, and two members of the House of Representatives, to be selected by the Speaker, is hereby created and authorized to consider and pass upon such lands as may be recommended for purchase as provided in section six of this Act, and to fix the price or prices at which such lands may be purchased, and no purchases shall be made of any lands until such lands have been duly approved for purchase by said commission: *Provided*, That the members of the commission herein created shall serve as such only during their incumbency in their respective official positions, and any vacancy on the commission shall be filled in the manner as the original appointment.

Act March 1, 1911, c. 186, s. 4, 36 Stat. 962.

Annual reports of commission.

SEC. 5. That the commission hereby appointed shall, through its president, annually report to Congress, not later than the first Monday in December, the operations and expenditures of the commission, in detail, during the preceding fiscal year.

Act March 1, 1911, c. 186, s. 5, 36 Stat. 962.

Examination, etc., of lands for purchase and report thereon by Secretary of Agriculture.

SEC. 6. That the Secretary of Agriculture is hereby authorized and directed to examine, locate, and recommend for purchase such lands as in his judgment may be necessary to the regulation of the flow of navigable streams, and to report to the National Forest Reservation Commission the results of such examinations: *Provided*, That before any lands are purchased by the National Forest Reservation Commission said lands shall be examined by the Geological Survey and a report made to the Secretary of Agriculture, showing that the control of such lands will promote or protect the navigation of streams on whose watersheds they lie.

Act March 1, 1911, c. 186, s. 6, 36 Stat. 962.

Purchase of lands approved by commission; consent of State.

SEC. 7. That the Secretary of Agriculture is hereby authorized to purchase, in the name of the United States, such lands as have been approved for purchase by the National Forest Reservation

Commission at the price or prices fixed by said commission: *Provided*, That no deed or other instrument of conveyance shall be accepted or approved by the Secretary of Agriculture under this Act until the legislature of the State in which the land lies shall have consented to the acquisition of such land by the United States for the purpose of preserving the navigability of navigable streams.

Act March 1, 1911, c. 186, s. 7, 36 Stat. 962.

Title to lands acquired.

SEC. 8. That the Secretary of Agriculture may do all things necessary to secure the safe title in the United States to the lands to be acquired under this Act, but no payment shall be made for any such lands until the title shall be satisfactory to the Attorney-General and shall be vested in the United States.

Act March 1, 1911, c. 186, s. 8, 36 Stat. 962.

Reservation to owner of lands acquired of minerals or timber; regulations for removal thereof to be expressed in conveyance.

SEC. 9. That such acquisition may in any case be conditioned upon the exception and reservation to the owner from whom title passes to the United States of the minerals and of the merchantable timber, or either or any part of them, within or upon such lands at the date of the conveyance, but in every case such exception and reservation and the time within which such timber shall be removed and the rules and regulations under which the cutting and removal of such timber and the mining and removal of such minerals shall be done shall be expressed in the written instrument of conveyance, and thereafter the mining, cutting, and removal of the minerals and timber so excepted and reserved shall be done only under and in obedience to the rules and regulations so expressed.

Act March 1, 1911, c. 186, s. 9, 36 Stat. 962.

Agricultural lands included in tracts acquired; sale as homesteads; jurisdiction of lands sold to revert to State; no rights, etc., to lands acquired, waters thereon, etc., except as provided in this section.

SEC. 10. That inasmuch as small areas of land chiefly valuable for agriculture may of necessity or by inadvertence be included in tracts acquired under this Act, the Secretary of Agriculture may, in his discretion, and he is hereby authorized, upon application or otherwise, to examine and ascertain the location and extent of such areas as in his opinion may be occupied for agricultural purposes without injury to the forests or to stream flow and which are not needed for public purposes, and may list and describe the same by metes and bounds, or otherwise, and offer them for sale as homesteads at their true value, to be fixed by him, to actual settlers, in tracts not exceeding eighty acres in area, under such joint rules and regulations as the Secretary of Agriculture and the Secretary of the Interior may prescribe; and in case of such sale the jurisdiction over the lands sold shall, ipso facto, revert to the State in which the lands sold lie. And no right, title, interest, or claim in or to any lands acquired under this Act, or the waters thereon, or the products, resources, or use thereof after such lands shall have been so acquired, shall be initiated or perfected, except as in this section provided.

Act March 1, 1911, c. 186, s. 10, 36 Stat. 962.

Lands acquired reserved as national forest lands; division into and designation as specific national forests.

SEC. 11. That, subject to the provisions of the last preceding section, the lands acquired under this Act shall be permanently reserved, held, and administered as national forest lands under the provisions of section twenty-four of the Act approved March third, eighteen hundred and ninety-one (volume twenty-six, Statutes at Large, page eleven hundred and three), and Acts supplemental to and amendatory thereof. And the Secretary of Agriculture may from time to time divide the lands acquired under this Act into such specific national forests and so designate the same as he may deem best for administrative purposes.

Act March 1, 1911, c. 186, s. 11, 36 Stat. 963.

Act March 3, 1891, c. 561, s. 24, mentioned in this section, is set forth on p. 87, *ante*.

An appropriation for additional national forests to be created under this section, and for lands under contract for purchase or for the acquisition of which condemnation proceedings have been instituted for the purposes of this act, is made in the agricultural appropriation act for the fiscal year 1913, set forth on p. 181, *post*.

State jurisdiction over persons on lands acquired not affected except as to punishment of offenses against United States.

SEC. 12. That the jurisdiction, both civil and criminal, over persons upon the lands acquired under this act shall not be affected or changed by their permanent reservation and administration as national forest lands, except so far as the punishment of offenses against the United States is concerned, the intent and meaning of this section being that the State wherein such land is situated shall not, by reason of such reservation and administration, lose its jurisdiction nor the inhabitants thereof their rights and privileges as citizens or be absolved from their duties as citizens of the State.

Act March 1, 1911, c. 186, s. 12, 36 Stat. 963.

Payment of percentage of moneys received from each national forest to State for benefit of public schools and roads; limitation of payment to any one county.

SEC. 13. That five per centum of all moneys received during any fiscal year from each national forest into which the lands acquired under this Act may from time to time be divided shall be paid, at the end of such year, by the Secretary of the Treasury to the State in which such national forest is situated, to be expended as the state legislature may prescribe for the benefit of the public schools and public roads of the county or counties in which such national forest is situated: *Provided*, That when any national forest is in more than one State or county the distributive share to each from the proceeds of such forest shall be proportional to its area therein: *Provided further*, That there shall not be paid to any State for any county an amount equal to more than forty per centum of the total income of such county from all other sources.

Act March 1, 1911, c. 186, s. 13, 36 Stat. 963.

Appropriation for expenses of commission; payment.

SEC. 14. That a sum sufficient to pay the necessary expenses of the commission and its members, not to exceed an annual expenditure of twenty-five thousand dollars, is hereby appropriated out of any money in the Treasury not otherwise appropriated. Said appropria-

tion shall be immediately available, and shall be paid out on the audit and order of the president of the said commission, which audit and order shall be conclusive and binding upon all departments as to the correctness of the accounts of said commission.

Act March 1, 1911, c. 186, s. 14, 36 Stat. 963.

ACT AUGUST 10, 1912, c. 284. (37 Stat. 269.)

Appropriation for examination, survey, and acquirement of lands on headwaters of navigable streams.

And in order to carry out the purposes mentioned in section three of the Act of March first, nineteen hundred and eleven, entitled "An Act to enable any State to cooperate with any other State or States, or with the United States, for the protection of the watersheds of navigable streams, and to appoint a commission for the acquisition of lands for the purpose of conserving the navigability of navigable rivers," there is hereby appropriated and made available until expended so much of the maximum sums mentioned in said section for the fiscal years nineteen hundred and twelve to nineteen hundred and fifteen, inclusive, as shall remain unexpended at the close of each of said fiscal years.

Act August 10, 1912, c. 284, 37 Stat. 300.

This is a provision, under the heading "Miscellaneous," of the agricultural act for the fiscal year 1913, cited above.

ACT JULY 6, 1912, c. 209. An act for the transfer of the so-called Olmstead lands, in the State of North Carolina, from the Solicitor of the Treasury to the Secretary of Agriculture. (37 Stat. 189.)

Certain lands in North Carolina to be in charge of Secretary of Agriculture.

That the Secretary of Agriculture shall, from and after the passage of this Act, have charge of the several tracts of land in Clay and Graham Counties, North Carolina, known as the Olmstead lands, aggregating approximately thirty-two thousand four hundred and eighty-three acres, being the lands conveyed to the United States by Levi Stevens and wife on March fifteenth, eighteen hundred and sixty-nine, in compromise and settlement of an indebtedness due the United States by E. B. Olmstead.

Act July 6, 1912, c. 209, s. 1, 37 Stat. 189.

Transfer of title, papers, etc.

SEC. 2. That the Solicitor of the Treasury is hereby authorized and directed to transfer to the Secretary of Agriculture all title, papers, and correspondence relating to said lands on file in his office.

Act July 6, 1912, c. 209, s. 2, 37 Stat. 189.

Lands to be subject to provisions of act March 1, 1911, c. 186.

SEC. 3. That the said lands shall be subject to such of the provisions of the Act approved March first, nineteen hundred and eleven (Thirty-sixth Statutes at Large, page nine hundred and sixty-one), as apply to lands purchased thereunder.

Act July 6, 1912, c. 209, s. 3, 37 Stat. 189.

Private or corporate rights not affected by act.

SEC. 4. That nothing herein contained shall be construed to affect in any way any private or corporate rights now existing with reference to said lands.

Act July 6, 1912, c. 209, s. 4, 37 Stat. 189.

REV. ST. SEC. 2460.

Protection and preservation of timber in Florida.

SEC. 2460. The President is authorized to employ so much of the land and naval forces of the United States as may be necessary effectually to prevent the felling, cutting down, or other destruction of the timber of the United States in Florida, and to prevent the transportation or carrying away any such timber as may be already felled or cut down; and to take such other and further measures as may be deemed advisable for the preservation of the timber of the United States in Florida.

REV. ST. SEC. 2461.

Cutting or destruction of live-oak or red-cedar timber; penalty.

SEC. 2461. If any person shall cut, or cause or procure to be cut, or aid, assist, or be employed in cutting, or shall wantonly destroy, or cause or procure to be wantonly destroyed, or aid, assist, or be employed in wantonly destroying any live-oak or red-cedar trees, or other timber standing, growing, or being on any lands of the United States, which, in pursuance of any law passed, or hereafter to be passed, have been reserved or purchased for the use of the United States, for supplying or furnishing therefrom timber for the Navy of the United States; or if any person shall remove, or cause or procure to be removed, or aid, or assist, or be employed in removing from any such lands which have been reserved or purchased, any live-oak or red-cedar trees, or other timber, unless duly authorized so to do, by order, in writing, of a competent officer, and for the use of the Navy of the United States; or if any person shall cut, or cause or procure to be cut, or aid, or assist, or be employed in cutting any live-oak or red-cedar trees, or other timber on, or shall remove, or cause or procure to be removed, or aid, or assist, or be employed in removing any live-oak or red-cedar trees or other timber, from any other lands of the United States, acquired, or hereafter to be acquired, with intent to export, dispose of, use, or employ the same in any manner whatsoever, other than for the use of the Navy of the United States; every such person shall pay a fine not less than triple the value of the trees or timber so cut, destroyed, or removed, and shall be imprisoned not exceeding twelve months.

REV. ST. SEC. 2462.

Vessel employed in carrying away live-oak or red-cedar timber; forfeiture.

SEC. 2462. If the master, owner, or consignee of any vessel shall knowingly take on board any timber cut on lands which have been reserved or purchased as in the preceding section prescribed, without proper authority, and for the use of the Navy of the United States; or shall take on board any live-oak or red-cedar timber cut on any other lands of the United States, with intent to transport the same to any port or place within the United States, or to export the same to any foreign country, the vessel on board of which the same shall be taken, transported, or seized, shall, with her tackle, apparel, and furniture, be wholly forfeited to the United States, and the captain or master of such vessel wherein the same was exported to any foreign country against the provisions of this section shall forfeit and pay to the United States a sum not exceeding one thousand dollars.

ACT JUNE 3, 1878, c. 151. (20 Stat. 89.)

Cutting timber unlawfully; transportation of unlawfully cut timber; penalty; clearing of land for mining and agricultural purposes, and taking timber for use of United States excepted.

SEC. 4. That after the passage of this act it shall be unlawful to cut, or cause or procure to be cut, or wantonly destroy, any timber growing on any lands of the United States, in said States and Territory [the public-land States] or remove, or cause to be removed, any timber from said public lands, with intent to export or dispose of the same; and no owner, master, or consignee of any vessel, or owner, director, or agent of any railroad, shall knowingly transport the same, or any lumber manufactured therefrom; and any person violating the provisions of this section shall be guilty of a misdemeanor, and, on conviction, shall be fined for every such offense a sum not less than one hundred nor more than one thousand dollars: *Provided*, That nothing herein contained shall prevent any miner or agriculturist from clearing his land in the ordinary working of his mining claim, or preparing his farm for tillage, or from taking the timber necessary to support his improvements, or the taking of timber for the use of the United States; and the penalties herein provided shall not take effect until ninety days after the passage of this act.

Act June 3, 1878, c. 151, s. 4, 20 Stat. 90.

The provisions of this section are substantially incorporated in act March 4, 1909, c. 321, s. 49, set forth below.

Relief from prosecution on payment for lands.

SEC. 5. That any person prosecuted in said States and Territory [the public-land States] for violating section two thousand four hundred and sixty-one of the Revised Statutes of the United States who is not prosecuted for cutting timber for export from the United States, may be relieved from further prosecution and liability therefor upon payment, into the court wherein said action is pending, of the sum of two dollars and fifty cents per acre for all lands on which he shall have cut or caused to be cut timber, or removed or caused to be removed the same: *Provided*, That nothing contained in this section shall be construed as granting to the person hereby relieved the title to said lands for said payment; but he shall have the right to purchase the same upon the same terms and conditions as other persons, as provided hereinbefore in this act: *And further provided*, That all moneys collected under this act shall be covered into the Treasury of the United States. And section four thousand seven hundred and fifty-one of the Revised Statutes is hereby repealed, so far as it relates to the States and Territory herein named.

Act June 3, 1878, c. 151, s. 5, 20 Stat. 90.

Rev. St. sec. 2461, mentioned in this section, is set forth above.

This and the preceding section are part of an act for the sale of timber lands in "the States of California, Oregon, Nevada, and in Washington Territory." The act is made applicable to "all the public-land States" by act August 4, 1892, c. 375, s. 2, 27 Stat. 348.

ACT MARCH 4, 1909, c. 321. (35 Stat. 1088.)

Timber depredations on public lands; punishment for; rights of entrymen.

SEC. 49. Whoever shall cut, or cause or procure to be cut, or shall wantonly destroy, or cause to be wantonly destroyed, any timber

growing on the public lands of the United States; or whoever shall remove, or cause to be removed, any timber from said public lands, with intent to export or to dispose of the same; or whoever, being the owner, master, or consignee of any vessel, or the owner, director, or agent of any railroad, shall knowingly transport any timber so cut or removed from said lands, or lumber manufactured therefrom, shall be fined not more than one thousand dollars, or imprisonment not more than one year, or both. Nothing in this section shall prevent any miner or agriculturist from clearing his land in the ordinary working of his mining claim, or in the preparation of his farm for tillage, or from taking the timber necessary to support his improvements, or the taking of timber for the use of the United States. And nothing in this section shall interfere with or take away any right under any existing law of the United States to cut or remove timber from any public lands.

Act March 4, 1909, c. 321, s. 49, 35 Stat. 1098.

This is a section of an act entitled "An act to codify, revise, and amend the penal laws of the United States," incorporating therein provisions of act June 3, 1878, c. 151, s. 4, set forth above.

Timber depredations on lands reserved for public use; punishment for.

SEC. 50. Whoever shall unlawfully cut, or aid in unlawfully cutting, or shall wantonly injure or destroy, or procure to be wantonly injured or destroyed, any tree, growing, standing, or being upon any land of the United States which, in pursuance of law, has been reserved or purchased by the United States for any public use, or upon any Indian reservation, or lands belonging to or occupied by any tribe of Indians under the authority of the United States, or any Indian allotment while the title to the same shall be held in trust by the Government, or while the same shall remain inalienable by the allottee without the consent of the United States, shall be fined not more than five hundred dollars, or imprisoned not more than one year, or both.

Act of March 4, 1909, c. 321, s. 50, 35 Stat. 1098.

This section is a portion of "An act to codify, revise, and amend the penal laws of the United States," cited above, as amended by act June 25, 1910, c. 431, s. 6, 36 Stat. 857. Said act March 4, 1909, c. 321, s. 50, incorporated therein the provisions of Rev. St. sec. 5388, as amended by act June 4, 1888, c. 340, 25 Stat. 166, and said Rev. St. sec. 5388 and said act June 4, 1888, were expressly repealed by section 341 of said act March 4, 1909.

Boxing, etc., trees for turpentine, etc.; punishment for.

SEC. 51. Whoever shall cut, chip, chop, or box any tree upon any lands belonging to the United States, or upon any lands covered by or embraced in any unperfected settlement, application, filing, entry, selection, or location, made under any law of the United States, for the purpose of obtaining from such tree any pitch, turpentine, or other substance, or shall knowingly encourage, cause, procure, or aid in the cutting, chipping, chopping, or boxing of any such tree, or shall buy, trade for, or in any manner acquire any pitch, turpentine, or other substance, or any article or commodity made from any such pitch, turpentine, or other substance, when he has knowledge that the same has been so unlawfully obtained from such trees, shall be

fined not more than five hundred dollars, or imprisoned not more than one year, or both.

Act March 4, 1909, c. 321, s. 51, 35 Stat. 1098.

This is a section of "An act to codify, revise, and amend the penal laws of the United States," incorporating therein the provisions of act June 4, 1906, c. 2571, 34 Stat. 208, which act is expressly repealed by section 341 of this act.

Setting fire to timber on public lands; punishment for.

SEC. 52. Whoever shall willfully set on fire, or cause to be set on fire, any timber, underbrush, or grass upon the public domain, or shall leave or suffer fire to burn unattended near any timber or other inflammable material, shall be fined not more than five thousand dollars, or imprisoned not more than two years, or both.

Act March 4, 1909, c. 321, s. 52, 35 Stat. 1098.

This is a section of "An act to codify, revise, and amend the penal laws of the United States," cited above, incorporating therein the provisions of act February 24, 1897, c. 313, s. 1, 29 Stat. 594, as amended by act May 5, 1900, c. 349, 31 Stat. 169. Both said act February 24, 1897, and said act May 5, 1900, are expressly repealed by section 341 of this act.

Failure to extinguish fires on the public domain; punishment for.

SEC. 53. Whoever shall build a fire in or near any forest, timber, or other inflammable material upon the public domain, or upon any Indian reservation, or lands belonging to or occupied by any tribe of Indians under the authority of the United States, or upon any Indian allotment while the title to the same shall be held in trust by the Government, or while the same shall remain inalienable by the allottee without the consent of the United States, shall, before leaving said fire, totally extinguish the same; and whoever shall fail to do so shall be fined not more than one thousand dollars, or imprisoned not more than one year, or both.

Act March 4, 1909, c. 321, s. 53, 35 Stat. 1098.

This is a section of "An act to codify, revise, and amend the penal laws of the United States," cited above, as amended by act June 25, 1910, c. 431, s. 6, 36 Stat. 857. Said act March 4, 1909, c. 321, s. 53, incorporated therein provisions of act February 24, 1897, c. 313, s. 1, 29 Stat. 594, as amended by act May 5, 1900, c. 349, 31 Stat. 170, and both said acts were expressly repealed by section 341 of said act March 4, 1909.

Trespassing on Bull Run National Forest, Oregon; punishment for.

SEC. 55. Whoever, except forest rangers and other persons employed by the United States to protect the forest, federal and state officers in the discharge of their duties, and the employees of the water board of the city of Portland, State of Oregon, shall knowingly trespass upon any part of the reserve known as Bull Run National Forest, in the Cascade Mountains, in the State of Oregon, or shall enter thereon for the purpose of grazing stock, or shall engage in grazing stock thereon, or shall permit stock of any kind to graze thereon, shall be fined not more than five hundred dollars, or imprisoned not more than six months, or both.

Act March 4, 1909, c. 321, s. 55, 35 Stat. 1099.

This is a section of "An act to codify, revise, and amend the penal laws of the United States," cited above, incorporating therein the provisions of act April 28, 1904, c. 1774, 33 Stat. 526, which said act is expressly repealed by section 341 of this act.

Breaking fences, driving cattle, etc., on inclosed public lands; punishment for; unreserved public lands excepted.

SEC. 56. Whoever shall knowingly and unlawfully break, open, or destroy any gate, fence, hedge, or wall inclosing any lands of the United States which, in pursuance of any law, have been reserved or purchased by the United States for any public use; or whoever shall drive any cattle, horses, hogs, or other live stock upon any such lands for the purpose of destroying the grass or trees on said lands, or where they may destroy the said grass or trees; or whoever shall knowingly permit his cattle, horses, hogs, or other live stock to enter through any such inclosure upon any such lands of the United States, where such cattle, horses, hogs or other live stock may or can destroy the grass or trees or other property of the United States on the said lands, shall be fined not more than five hundred dollars, or imprisoned not more than one year, or both: *Provided*, That nothing in this section shall be construed to apply to unreserved public lands.

Act March 4, 1909, c. 321, s. 56, 35 Stat. 1099.

This is a section of "An act to codify, revise, and amend the penal laws of the United States," cited above, incorporating therein the provisions of act March 3, 1875, c. 151, ss. 2, 3, 18 Stat. 481, which sections are expressly repealed by section 341 of this act.

Injuring or removing survey marks; punishment for.

SEC. 57. Whoever shall willfully destroy, deface, change, or remove to another place any section corner, quarter-section corner, or meander post, on any Government line of survey, or shall willfully cut down any witness tree or any tree blazed to mark the line of a Government survey, or shall willfully deface, change, or remove any monument or bench mark of any Government survey, shall be fined not more than two hundred and fifty dollars, or imprisoned not more than six months, or both.

Act March 4, 1909, c. 321, s. 57, 35 Stat. 1099.

This is a section of "An act to codify, revise, and amend the penal laws of the United States," cited above, incorporating therein provisions of act June 10, 1896, c. 398, s. 1, 29 Stat. 343, which provisions are expressly repealed by section 341 of this act.

ACT FEBRUARY 25, 1885, c. 149. An act to prevent unlawful occupancy of the public lands. (23 Stat. 321.)

Inclosure of or assertion of right to public lands without title prohibited.

That all inclosures of any public lands in any State or Territory of the United States, heretofore or to be hereafter made, erected, or constructed by any person, party, association, or corporation, to any of which land included within the inclosure the person, party, association, or corporation making or controlling the inclosure had no claim or color of title made or acquired in good faith, or an asserted right thereto by or under claim, made in good faith with a view to entry thereof at the proper land-office under the general laws of the United States at the time any such inclosure was or shall be made, are hereby declared to be unlawful, and the maintenance, erection, construction, or control of any such inclosure is hereby forbidden and prohibited; and the assertion of a right to the exclusive use and occupancy of any part of the public lands of the United States in any State or any of the Territories of the United States, without

claim, color of title, or asserted right as above specified as to inclosure, is likewise declared unlawful, and hereby prohibited.

Act February 25, 1885, c. 149, s. 1, 23 Stat. 321.

Suits for violations of preceding section.

SEC. 2. That it shall be the duty of the district attorney of the United States for the proper district, on affidavit filed with him by any citizen of the United States that section one of this act is being violated showing a description of the land inclosed with reasonable certainty, not necessarily by metes and bounds nor by governmental sub-divisions of surveyed lands, but only so that the inclosure may be identified, and the persons guilty of the violation as nearly as may be, and by description, if the name cannot on reasonable inquiry be ascertained, to institute a civil suit in the proper United States district or circuit court, or territorial district court, in the name of the United States, and against the parties named or described who shall be in charge of or controlling the inclosure complained of as defendants; and jurisdiction is also hereby conferred on any United States district or circuit court or territorial district court having jurisdiction over the locality where the land inclosed, or any part thereof, shall be situated, to hear and determine proceedings in equity, by writ of injunction, to restrain violations of the provisions of this act; and it shall be sufficient to give the court jurisdiction if service of original process be had in any civil proceeding on any agent or employee having charge or control of the inclosure; and any suit brought under the provisions of this section shall have precedence for hearing and trial over other cases on the civil docket of the court, and shall be tried and determined at the earliest practicable day. In any case if the inclosure shall be found to be unlawful, the court shall make the proper order, judgment, or decree for the destruction of the inclosure, in a summary way, unless the inclosure shall be removed by the defendant within five days after the order of the court.

Act February 25, 1885, c. 149, s. 2, 23 Stat. 321.

Obstruction of settlement on or transit over public lands prohibited.

SEC. 3. That no person, by force, threats, intimidation, or by any fencing or inclosing, or any other unlawful means, shall prevent or obstruct, or shall combine and confederate with others to prevent or obstruct, any person from peaceably entering upon or establishing a settlement or residence on any tract of public land subject to settlement or entry under the public land laws of the United States, or shall prevent or obstruct free passage or transit over or through the public lands: *Provided*, This section shall not be held to affect the right or title of persons, who have gone upon, improved or occupied said lands under the land laws of the United States, claiming title thereto, in good faith.

Act February 25, 1885, c. 149, s. 3, 23 Stat. 322.

Violations of act; punishment.

SEC. 4. That any person violating any of the provisions hereof, whether as owner, part owner, or agent, or who shall aid, abet, counsel, advise, or assist in any violation hereof, shall be deemed guilty of a misdemeanor and fined in a sum not exceeding one thousand dollars or be imprisoned not exceeding one year, or both, for each offense.

Act February 25, 1885, c. 149, s. 4, 23 Stat. 322, as amended by act March 10, 1908, c. 75, 35 Stat. 40.

Removal of unlawful inclosures.

SEC. 5. That the President is hereby authorized to take such measures as shall be necessary to remove and destroy any unlawful inclosure of any of said lands, and to employ civil or military force as may be necessary for that purpose.

Act February 25, 1885, c. 149, s. 5, 23 Stat. 322.

Authority of Secretary of Interior necessary to bring suits for certain unlawful inclosures.

SEC. 6. That where the alleged unlawful inclosure includes less than one hundred and sixty acres of land, no suit shall be brought under the provisions of this act without authority from the Secretary of the Interior.

Act February 25, 1885, c. 149, s. 6, 23 Stat. 322.

Pending suits not affected by act.

SEC. 7. That nothing herein shall affect any pending suits to work their discontinuance, but as to them hereafter they shall be prosecuted and determined under the provisions of this act.

Act February 25, 1885, c. 149, s. 7, 23 Stat. 322.

ACT JUNE 8, 1906, c. 3060. An act for the preservation of American antiquities. (34 Stat. 225.)**Appropriation, excavation, injury, or destruction of objects of antiquity on lands of United States without permission; punishment.**

That any person who shall appropriate, excavate, injure, or destroy any historic or prehistoric ruin or monument, or any object of antiquity, situated on lands owned or controlled by the Government of the United States, without the permission of the Secretary of the Department of the Government having jurisdiction over the lands on which said antiquities are situated, shall, upon conviction, be fined in a sum of not more than five hundred dollars or be imprisoned for a period of not more than ninety days, or shall suffer both fine and imprisonment, in the discretion of the court.

Act June 8, 1906, c. 3060, s. 1, 34 Stat. 225.

Historic landmarks, etc., may be declared national monuments; reservation of parcels of land; relinquishment of private claims.

SEC. 2. That the President of the United States is hereby authorized, in his discretion, to declare by public proclamation historic landmarks, historic and prehistoric structures, and other objects of historic or scientific interest that are situated upon the lands owned or controlled by the Government of the United States to be national monuments, and may reserve as a part thereof parcels of land the limits of which in all cases shall be confined to the smallest area compatible with the proper care and management of the objects to be protected: *Provided*, That when such objects are situated upon a tract covered by a bona fide unperfected claim or held in private ownership, the tract, or so much thereof as may be necessary for the proper care and management of the object, may be relinquished to the Government, and the Secretary of the Interior is hereby authorized to accept the relinquishment of such tracts in behalf of the Government of the United States.

Act June 8, 1906, c. 3060, s. 2, 34 Stat. 225.

Permits for examination of ruins, excavation of archæological sites, and gathering of objects of antiquity.

SEC. 3. That permits for the examination of ruins, the excavation of archæological sites, and the gathering of objects of antiquity upon the lands under their respective jurisdictions may be granted by the Secretaries of the Interior, Agriculture, and War to institutions which they may deem properly qualified to conduct such examination, excavation, or gathering, subject to such rules and regulations as they may prescribe: *Provided*, That the examinations, excavations, and gatherings are undertaken for the benefit of reputable museums, universities, colleges, or other recognized scientific or educational institutions, with a view to increasing the knowledge of such objects, and that the gatherings shall be made for permanent preservation in public museums.

Act June 8, 1906, c. 3060, s. 3, 34 Stat. 225.

Regulations for carrying out provisions of act.

SEC. 4. That the Secretaries of the Departments aforesaid shall make and publish from time to time uniform rules and regulations for the purpose of carrying out the provisions of this Act.

Act June 8, 1906, c. 3060, s. 4, 34 Stat. 225.

ACT JANUARY 24, 1905, c. 137. An act for the protection of wild animals and birds in the Wichita Forest Reserve. (33 Stat. 614.)

Authority to set aside areas in Wichita Forest Reserve for protection as breeding place for game animals and birds.

That the President of the United States is hereby authorized to designate such areas in the Wichita Forest Reserve as should, in his opinion, be set aside for the protection of game animals and birds and be recognized as a breeding place therefor.

Act January 24, 1905, c. 137, s. 1, 33 Stat. 614.

Hunting, etc., and capturing game animals or birds within areas set aside, prohibited; penalty.

SEC. 2. That when such areas have been designated as provided for in section one of this Act, hunting, trapping, killing, or capturing of game animals and birds upon the lands of the United States within the limits of said areas shall be unlawful, except under such regulations as may be prescribed from time to time, by the Secretary of Agriculture; and any person violating such regulations or the provisions of this Act shall be deemed guilty of a misdemeanor, and shall, upon conviction in any United States court of competent jurisdiction, be fined in a sum not exceeding one thousand dollars or be imprisoned for a period not exceeding one year, or shall suffer both fine and imprisonment, in the discretion of the court.

Act January 24, 1905, c. 137, s. 2, 33 Stat. 614.

Operation of local game laws as to private, State, or Territorial lands not affected by act.

SEC. 3. That it is the purpose of this Act to protect from trespass the public lands of the United States and the game animals and birds which may be thereon, and not to interfere with the operation of the local game laws as affecting private, State or Territorial lands.

Act January 24, 1905, c. 137, s. 3, 33 Stat. 614.

Proclamation by the President, June 2, 1905, 34 Stat. 3062, designating and setting aside Wichita Forest Reserve for the protection of game animals and birds and as a breeding place therefor, under the act cited above, is set forth below.

PROCLAMATION JUNE 2, 1905. (34 Stat. 3062.)

Wichita Forest Reserve set aside for protection as breeding place for game animals and birds.

WHEREAS, it is provided by the act of Congress, approved January twenty-fourth, nineteen hundred and five, entitled, "An Act for the protection of wild animals and birds in the Wichita Forest Reserve," That the President of the United States is hereby authorized to designate such areas in the Wichita Forest Reserve as should, in his opinion, be set aside for the protection of game animals and birds and be recognized as a breeding place therefor.

* * * * *

And whereas, for the purpose of giving this Act effect, it appears desirable that the entire Wichita Forest Reserve be declared a Game Preserve;

Now, therefore, I, Theodore Roosevelt, President of the United States, by virtue of the power in me vested by the aforesaid Act of Congress, do hereby make known and proclaim that the Wichita Forest Reserve, in the Territory of Oklahoma, is designated and set aside for the protection of game animals and birds, and shall be recognized as a breeding place therefor, and that the hunting, trapping, killing or capturing of game animals and birds upon the lands of the United States within the limits of said area is unlawful, except under such regulations as may be prescribed from time to time by the Secretary of Agriculture.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States to be affixed.

Done at the City of Washington this 2nd day of June, in the year of our Lord one thousand nine hundred and five, and of the Independence of the United States the one hundred and twenty-ninth.

T. ROOSEVELT.

Proclamation June 2, 1905, 34 Stat. 3062.

Act January 25, 1905, c. 137, mentioned in this proclamation, is set forth above.

ACT JUNE 29, 1906, c. 3593. An act for the protection of wild animals in the Grand Canyon Forest Reserve. (34 Stat. 607.)

Authority to set aside areas in Grand Canyon Forest Reserve for protection as breeding place for game animals.

That the President of the United States is hereby authorized to designate such areas in the Grand Canyon Forest Reserve as should, in his opinion, be set aside for the protection of game animals and be recognized as a breeding place therefor.

Act June 29, 1906, c. 3593, s. 1, 34 Stat. 607.

Hunting, etc., and capturing game animals within areas set aside, prohibited; penalty.

SEC. 2. That when such areas have been designated as provided in section one of this Act, hunting, trapping, killing, or capturing of game animals upon the lands of the United States within the limits of said areas shall be unlawful, except under such regulations as may

be prescribed from time to time by the Secretary of Agriculture; and any person violating such regulations or the provisions of this act shall be deemed guilty of a misdemeanor, and shall, upon conviction in any United States court of competent jurisdiction, be fined in a sum not exceeding one thousand dollars, or by imprisonment for a period not exceeding one year, or shall suffer both fine and imprisonment, in the discretion of the court.

Act June 29, 1906, c. 3593, s. 2, 34 Stat. 607.

Operation of local game laws as to private, State, or Territorial lands, not affected by act.

SEC. 3. That it is the purpose of this Act to protect from trespass the public lands of the United States and the game animals which may be thereon, and not to interfere with the operation of the local game laws as affecting private, State, or Territorial lands.

Act June 29, 1906, c. 3593, s. 3, 34 Stat. 607.

Proclamations by the President, November 28, 1906, and June 23, 1908, designating and setting aside and enlarging areas in the Grand Canyon Forest Reserve for the protection of game animals and as a breeding place therefor, under the act cited above, are set forth below.

PROCLAMATION NOVEMBER 28, 1906. (34 Stat. 3263.)

Lands in Grand Canyon Forest Reserve set aside for protection, as breeding place for game animals.

WHEREAS it is provided by the act of Congress, approved June twenty-ninth, nineteen hundred and six, entitled, "An Act For the protection of wild animals in the Grand Canyon Forest Reserve," "That the President of the United States is hereby authorized to designate such areas in the Grand Canyon Forest Reserve as should, in his opinion, be set aside for the protection of game animals and be recognized as a breeding place therefor.

* * * * *

And whereas, for the purpose of giving this Act effect, it appears desirable that a part of the Grand Canyon Forest Reserve be declared a Game Preserve.

Now, therefore, I, Theodore Roosevelt, President of the United States, by virtue of the power in me vested by the aforesaid Act of Congress, do hereby make known and proclaim that all those lands within the Grand Canyon Forest Reserve, lying north and west of the Colorado River, in the Territory of Arizona, are designated and set aside for the protection of game animals, and shall be recognized as a breeding place therefor, and that the hunting, trapping, killing, or capturing of game animals upon the lands of the United States within the limits of said area is unlawful, except under such regulations as may be prescribed from time to time by the Secretary of Agriculture.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States to be affixt.

Done at the City of Washington this 28th day of November, in the year of our Lord one thousand nine hundred and six, and of the Independence of the United States the one hundred and thirty-first.

THEODORE ROOSEVELT.

Proclamation November 28, 1906, 34 Stat. 3263.

Act June 29, 1906, c. 3593, mentioned in this proclamation, is set forth above.

PROCLAMATION JUNE 23, 1908. (35 Stat. 2192.)

Areas in Grand Canyon Forest Reserve, set aside for protection as breeding place for game animals, enlarged.

WHEREAS, it is provided by the Act of Congress, approved June twenty-ninth, nineteen hundred and six, entitled, "An Act for the protection of wild animals in the Grand Canyon Forest Reserve," "That the President of the United States is hereby authorized to designate such areas in the Grand Canyon Forest Reserve as should, in his opinion, be set aside for the protection of game animals and be recognized as a breeding place therefor.

* * * * *

And whereas, the Grand Canyon Game Preserve, in the Territory of Arizona, was established by proclamation dated November twenty-eighth, nineteen hundred and six:

And whereas, for the purpose of giving the said Act greater effect, it appears desirable to enlarge the said Game Preserve, in the Territory of Arizona, by including therein certain additional lands;

Now, therefore, I, Theodore Roosevelt, President of the United States of America, by virtue of the power in me vested by the afore-said Act of Congress, do hereby proclaim that all those lands within the area of the Grand Canyon National Game Preserve, as indicated on the attached diagram, are designated and set aside for the protection of game animals, and shall be recognized as a breeding place therefor, and that the hunting, trapping, killing, or capturing of game animals upon the lands of the United States within the limits of said area is unlawful, except under such regulations as may be prescribed from time to time by the Secretary of Agriculture.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States to be affixed.

Done at the City of Washington this 23d day of June, in the year of our Lord one thousand nine hundred and eight, and of the Independence of the United States the one hundred and thirty-second.

THEODORE ROOSEVELT.

Proclamation June 23, 1908, 35 Stat. 2192.

Act June 29, 1906, c. 3593, mentioned in this proclamation, is set forth above.

ACT FEBRUARY 6, 1905, c. 456. An act for the protection of the public forest reserves and national parks of the United States. (33 Stat. 700.)

Forest Service employees authorized to make arrests for violations of laws and regulations relating to forest reserves; proceedings thereon.

That all persons employed in the forest reserve and national park service of the United States shall have authority to make arrests for the violation of the laws and regulations relating to the forest reserves and national parks, and any person so arrested shall be taken before the nearest United States commissioner, within whose jurisdiction the reservation or national park is located, for trial; and upon sworn information by any competent person any United States commissioner in the proper jurisdiction shall issue process for the arrest of any person charged with the violation of said laws and regulations; but nothing herein contained shall be construed as prevent-

ing the arrest by any officer of the United States, without process, of any person taken in the act of violating said laws and regulations.

Act February 6, 1905, c. 456, 33 Stat. 700.

These provisions are repeated in the same language in the agricultural appropriation act for the fiscal year 1906, act March 3, 1905, c. 1405, 33 Stat. 873.

ACT MAY 23, 1908, c. 192. (35 Stat. 251.)

Forest Service officials to aid in enforcement of local laws relating to stock, prevention and extinguishment of forest fires, and protection of fish and game, and with respect to national forests, to aid other Federal bureaus and departments.

* * * hereafter officials of the Forest Service designated by the Secretary of Agriculture shall, in all ways that are practicable, aid in the enforcement of the laws of the States or Territories with regard to stock, for the prevention and extinguishment of forest fires, and for the protection of fish and game, and with respect to National Forests, shall aid the other Federal Bureaus and Departments on request from them, in the performance of the duties imposed on them by law; * * *

Act May 23, 1908, c. 192, 35 Stat. 259.

This is a provision of the agricultural appropriation act for the fiscal year 1909, cited above. Previous similar provisions for aiding in the enforcement of the laws of the States or Territories, without the word "hereafter," are contained in the similar appropriation acts for the fiscal years 1906 and 1907, and a similar provision in the act for the fiscal year 1908, with the word "hereafter," are superseded by the provision set forth above.

Previous to the transfer of the execution of laws affecting forest reserves to the Secretary of Agriculture by act February 1, 1905, c. 288, provisions requiring forest agents, superintendents, and supervisors, etc., under the Secretary of the Interior to aid in the enforcement of the laws of States or Territories in relation to the protection of fish and game, were contained in the sundry civil appropriation acts for the fiscal years 1900 to 1905, inclusive.

ACT JUNE 27, 1902, c. 1157. (32 Stat. 400.)

Reservation of a portion of the standing timber on certain lands selected by the Forester of the Department of Agriculture as forestry lands; additional reservation of certain timber and land from sale and settlement.

* * * That in cutting the timber on two hundred thousand acres of the pine lands, to be selected as soon as practicable by the Forester of the Department of Agriculture, with the approval of the Secretary of the Interior, on the following reservations, to wit, Chippewas of the Mississippi, Leech Lake, Cass Lake, and Winnebigoishish, which said lands so selected shall be known and hereinafter described as "forestry lands," the purchaser shall be required to leave standing five per centum of the pine timber thereon for the purpose of reforestation, as hereinafter provided, said five per centum to be selected and reserved in such manner and under such rules and regulations as may be prescribed by the Forester of the Department of Agriculture and approved by the Secretary of the Interior: *Provided further*, That there shall be reserved from sale or settlement the timber and land on the islands in Cass Lake and in Leech Lake, and not less than one hundred and sixty acres at the extremity of Sugar Point, on Leech Lake, and the peninsula known as Pine Point, on which the new Leech Lake Agency is now located, which peninsula approximates seven thousand acres, and in addition thereto ten sec-

tions in area on said reservations last aforesaid, to be selected by the Forester of the Department of Agriculture, with the approval of the Secretary of the Interior, in lots not less than three hundred and twenty acres each in contiguous areas, and nothing herein contained shall interfere with the allotments to the Indians heretofore and hereafter made. The islands in Cass and Leech lakes and the land reserved at Sugar Point and Pine Point Peninsula shall remain as Indian land under the control of the Department of the Interior.

* * * * * *

Lands reserved as forest reserve after removal of merchantable pine timber; removal of timber under supervision and direction of the Forester of the Department of Agriculture.

After the merchantable pine timber on any tract, subdivision, or lot shall have been removed, such tract, subdivision, or lot shall, except on the forestry lands aforesaid, for the purposes of this Act, be classed and treated as agricultural lands, and shall be opened to homestead entry in accordance with the provisions of this Act: *Provided*, That on the forestry lands aforesaid, as soon as the merchantable pine timber now thereon shall have been removed from any tract, subdivision, or lot, as herein provided, such tract, subdivision, or lot shall, without further Act, resolution, or proclamation, forthwith become and be part of a forest reserve, the same as though set apart by proclamation of the President in accordance with the Act of Congress approved March third, eighteen hundred and ninety-one, and subsequent laws amending and supplementing the same, and shall be managed and protected in accordance with their provisions and the rules and regulations made and to be made in furtherance thereof: *And provided further*, That on said forestry lands aforesaid said pine timber shall be cut clean, except as to the five per centum as hereinbefore provided, and removed under the supervision and direction of the Forester of the Department of Agriculture, in accordance with rules and regulations to be prescribed by him and approved by the Secretary of the Interior, and the said Forester shall have power at all times to patrol and protect said lands and forests, and to enforce all rules and regulations made by him as aforesaid.

The provisions of act March 3, 1891, c. 561, s. 24, mentioned above, are set forth on p. 87, *ante*.

Certain agricultural lands open to homestead settlement; agricultural lands within or contiguous to forestry lands and designated by the Forester of the Department of Agriculture, excepted.

As soon as practicable after the passage of this Act the Secretary of the Interior shall open to homestead settlement, as herein provided, the lands on all the reservations, or portions of reservations, which have been ceded to the United States by the Chippewa Indians in Minnesota, including the four reservations last aforesaid, which have been examined and found to be agricultural lands, and shall immediately proceed to have examined, as herein provided, the remaining lands, and shall without delay open to homestead settlement those found to be agricultural lands: *Provided*, That on the four reservations last aforesaid, where agricultural lands are included within or contiguous to forestry lands and are, in the opinion of the Forester of the Agricultural Department, necessary to the economical administration and protection of the same, said Forester shall, as soon as

practicable after the passage of this Act as to those lands which have already been examined, and as to the lands not yet examined immediately after the examination and approval of the lists of said lands, of which approval said Forester shall be immediately notified by the Secretary of the Interior, file with the Secretary of the Interior schedules designating according to Government subdivisions said agricultural lands, not to exceed fifteen thousand acres of the lands already examined and not to exceed ten thousand acres of the lands yet to be examined, which said agricultural lands so designated shall not be offered for entry and settlement, but shall become and be a part of the forest reserve hereinbefore created.

* * * * *

Payment of expenses.

All the expenses incurred in carrying out the provisions of this Act as to the examining and listing of said lands, and the selling, cutting, and scaling of said timber, shall be paid by the Secretary of the Interior out of the proceeds of the sale of said timber: *Provided*, That no expense arising out of the forestry provision shall be charged to the Indians.

Act June 27, 1902, c. 1157, s. 2, 32 Stat. 402.

These are provisions of an act entitled "An act to amend an act entitled 'An act for the relief and civilization of the Chippewa Indians in the State of Minnesota,' approved January fourteenth, eighteen hundred and eighty-nine." These provisions are amended by provisions of act May 23, 1908, c. 193, and act June 25, 1910, c. 431, set forth below.

ACT MAY 23, 1908, c. 193. An act amending the act of January fourteenth, eighteen hundred and eighty-nine, and acts amendatory thereof, and for other purposes. (35 Stat. 268.)

Establishment of a national forest in Minnesota; description of lands included.

That there is hereby created in the State of Minnesota a national forest consisting of lands and territory described as follows, to wit:

Beginning at a point where the north line of section thirty-one in township one hundred and forty-eight north, range twenty-eight west, fifth principal meridian, intersects the low water mark of the lake formed by the waters of Third River; thence easterly along the north line of sections thirty-one, thirty-two, thirty-three, thirty-four, thirty-five, and thirty-six in township one hundred and forty-eight north, ranges twenty-eight and twenty-seven west, continuing easterly along the north line of section thirty-one in township one hundred and forty-eight north, range twenty-six west, to a point where said line intersects the low water mark of Bow String Lake on the west shore; thence southerly along the west side of said lake at low water mark to a point where it crosses the section line between sections sixteen and seventeen in township one hundred and forty-seven north, range twenty-six west; thence southerly along the section line on the east side of sections seventeen, twenty, twenty-nine, and thirty-two in township one hundred and forty-seven north, range twenty-six west, and continuing southerly along the east side of sections five, eight, seventeen, twenty, twenty-nine, and thirty-two, township one hundred and forty-six north, range twenty-six west, continuing southerly along the east line of sections five, eight, seventeen, twenty, and twenty-nine, township one hundred and forty-five north, range twenty-six west to a point at the low water mark on

the right bank of the Mississippi River on the section line between sections twenty-eight and twenty-nine in said township; thence southeasterly along the right bank of the Mississippi River at low water mark to its confluence with Leech Lake River in section twelve in township one hundred and forty-four north, range twenty-six west; thence southwesterly along the right bank of Leech Lake River along the low water mark to Mud Lake; thence along the line of low water mark of Mud Lake on its northern and western shores to the point where Leech Lake River empties into the same on fractional section thirty-two, township one hundred and forty-four north, range twenty-six west; thence up said river along the low water mark on the right bank thereof to a point in fractional section twenty-nine where the line intersects the low water mark of Leech Lake; thence in a northwesterly and southwesterly direction following the contours of said lake at low water mark to the point at low water mark on the shore of said lake on the northeast boundary of the ceded Leech Lake Indian Reservation on section line between sections five and eight, township one hundred and forty-three north, range twenty-nine west; thence in a southwesterly direction following the contours of said lake at low water mark to the point on said lake at the southwestern extremity of Ottertail Point; thence southwesterly in a direct line to the southern extremity of section twenty-five in township one hundred and forty-three north, range thirty-one west; thence in a westerly direction along the contour of said lake to the southwestern extremity of section twenty-six in said township; thence in a northerly and westerly direction along the contour of said lake at low water mark to a point where the center line through section two, running in a north and south direction in township one hundred and forty-three north, range thirty-one west intersects the low water mark of Leech Lake; thence northerly through the middle of said section two to the shore of a small lake at low water mark; thence along the east shore of said lake at low water line to a point where the section line between sections thirty-five and thirty-six, township one hundred and forty-four north, range thirty-one west, intersects low water mark of said lake on north shore; thence northerly on section line between sections thirty-five, thirty-six, twenty-five, and twenty-six to the low water mark at the shore of a small lake; thence northerly along the east side of said lake to a point where the section line between sections twenty-five and twenty-six intersects the low water mark of said lake in said township; thence northerly along the east line of sections twenty-six, twenty-three, and fourteen to a point on the east line of section fourteen, twenty chains north of the southeast corner of section fourteen; thence west twenty chains; thence north twenty chains; thence west twenty chains; thence northerly along the east side of a small lake to a point where the center line running in a north and south direction through section fourteen intersects the north side of said lake at low water mark; thence northerly along the center line of said section through section eleven to the quarter corner between sections two and eleven of said township; thence westerly to a point twenty chains west of the northwest corner of section eleven; thence north forty chains; thence west twenty chains; thence north to a point where the center line running in a north and south direction in section three intersects the township line between townships one hundred and forty-four and one hundred and forty-five north, range thirty-one west; thence westerly to the quarter quarter corner on the township

line in the southeast quarter of section thirty-four in township one hundred and forty-five north, range thirty-one west; thence north twenty chains; thence west forty chains; thence north twenty chains; thence west twenty chains to the quarter corner between sections thirty-three and thirty-four in said township and range; thence northerly along the east line of sections thirty-three, twenty-eight, twenty-one and sixteen in said township to a point where it intersects the right-of-way of the Great Northern Railway as at present located; thence easterly along said right-of-way to a point where it intersects the shore of Cass Lake at low water mark in section fifteen, township one hundred and forty-five north, range thirty-one west; thence northerly along the west shore of Cass Lake and the south, west and north shore of Allen's Bay and the northwest shore of Cass Lake to a point along the contour of said lake at low water mark at the head of the Mississippi River, approximately in section twenty-one, township one hundred and forty-six north, range thirty west; thence easterly along the right bank of said river to a point where the range line between ranges twenty-nine and thirty west intersects said river; thence northerly along the range line to the northwest corner of section nineteen in township one hundred and forty-seven north, range twenty-nine west; thence easterly along the north line of sections nineteen, twenty, twenty-one, twenty-two, twenty-three and twenty-four in said township and along the north side of sections nineteen and twenty in township one hundred and forty-seven north, range twenty-eight west to a point where said line intersects the left bank of Third River at low water mark; thence northerly along the right bank of Third River to the contour line at low water mark of the lake formed by the waters of Third River; thence southeasterly and northerly along the contour line of said lake to the point of beginning; and it is the intent of this Act to include in said national forest and make a part thereof all that certain territory and land which has heretofore been selected by the Forester of the Department of Agriculture as the ten sections situated in townships one hundred and forty-four, one hundred and forty-five, and one hundred and forty-six north, ranges thirty and thirty-one west of the fifth principal meridian in Minnesota and designated as being the ten sections referred to and authorized to be selected by section two of the Act approved June twenty-seventh, nineteen hundred and two, being chapter eleven hundred and fifty-seven, United States Statutes at Large, volume thirty-two, entitled "An act to amend an Act entitled 'An Act for the relief and civilization of the Chippewa Indians in the State of Minnesota'", approved January fourteenth, eighteen hundred and eighty-nine; and also all the islands in Cass Lake in the State of Minnesota.

And in addition to the lands and territory above described, the lands described by section two of said Act of June twenty-seventh, nineteen hundred and two, as follows: "One hundred and sixty acres at the extremity of Sugar Point, on Leech Lake, and the peninsula known as Pine Point, on which the new Leech Lake Agency is now located" shall be included in and are hereby made a part of said national forest: *Provided*, That this Act shall not in any manner abridge the right of citizens to the use of the west and northwesterly shores of Cass Lake.

Act May 23, 1908, c. 193, s. 1, 35 Stat. 268.

Provisions of act June 27, 1902, c. 1157, s. 2, mentioned in this section, are set forth above.

Secretary of the Interior authorized to sell pine timber outside of lands set aside as forest reserve, and reservation of a portion thereof selected by the Forester of the Department of Agriculture; the Forester of the Department of Agriculture authorized to sell and dispose of standing timber within the forest reserve; commission for appraisal of portion of timber previously reserved from sale; funds deposited to credit of Chippewa Indians.

SEC. 2. The Secretary of the Interior is hereby authorized to proceed with the sale of the merchantable pine timber upon the above-described land outside of said ten sections and said islands and points, in conformity with the provisions of said Act above entitled, and reserving ten per centum of such timber from sale, said ten per centum to be designated by the Forester of the United States Department of Agriculture; and as to the timber upon said ten sections and said islands and points, the said Forester is authorized, under such rules and regulations as he may prescribe from time to time to sell and dispose of so much of the standing timber thereon as he may deem wise and advisable in the conduct of a National Forest: *Provided*, That a commission of three persons shall at once be appointed, consisting of one person to be designated by the President, one by the Secretary of the Interior, and one by a general council of the Indians of the Winnibigoshish, Cass Lake, Chippewas of the Mississippi Reservation, and Leech Lake Reservation to be held under the direction of the agent at Leech Lake Indian Agency; and said commissioners shall proceed forthwith to appraise the value of the five per centum of timber heretofore reserved from sale by the provisions of said Act entitled "An Act to amend an Act entitled 'An Act for the relief and civilization of the Chippewa Indians in the State of Minnesota,'" approved January fourteenth, eighteen hundred and eighty-nine, and the ten per centum hereafter reserved under the provisions of this Act, and the timber upon said ten sections and upon the unappropriated lands on said islands and points, and shall ascertain the acreage of actual land included under the provisions of this Act and to the estimated value of said five per centum of timber reserved under the said Act entitled "An Act to amend an Act entitled 'An Act for the relief and civilization of the Chippewa Indians in the State of Minnesota,'" approved January fourteenth, eighteen hundred and eighty-nine, and the ten per centum reserved under this Act and the estimated value of timber upon said ten sections and upon the unappropriated lands on said islands and points, to the sum of the values of the timber so estimated shall add an amount equal to one dollar and twenty-five cents for each and every acre of land not otherwise appropriated which they find covered by the provisions of this Act, and shall certify the same to the Secretary of the Interior. The Indians designated in this section, acting through a representative who shall serve without compensation, to be named by them at the time of their appointment of the commissioner herein, shall have sixty days in which to appeal to the President of the United States from the findings of said commissioners, as certified to the Secretary of the Interior. At the end of said sixty days, if no appeal has been taken or if an appeal has been taken, then, upon the determination thereof by the President, the Secretary of the Interior shall certify the amount found by said commissioners, or if modified by the President the amount determined by him, to the Secretary of the Treasury, who shall thereupon place such amount to the credit of all the Chip-

pewa Indians in the State of Minnesota as a part of the permanent fund of said "All of the Chippewa Indians in the State of Minnesota" provided for in an Act of Congress entitled "An Act for the relief and civilization of the Chippewa Indians in the State of Minnesota," approved January fourteenth, eighteen hundred and eighty-nine, and the Acts supplementary thereto, and the amounts so certified to the Secretary of the Treasury shall draw interest at the rate of five per centum per annum, pursuant to the terms of said Acts.

Act May 23, 1908, c. 193, s. 2, 35 Stat. 270.

See note under section 1 of this act.

Selections of allotments outside of the national forest by Indians in lieu of allotments within the national forest.

SEC. 3. That any Indian having an allotment within the limits of the National Forest created by this Act is hereby authorized to relinquish such allotment and permitted to take another allotment in lieu thereof outside such National Forest, under the direction of the Secretary of the Interior; and the allotments of any deceased Indians located within the boundaries of said National Forest shall not hereafter be disposed of under section seven of the Act of June twenty-seventh, nineteen hundred and two (volume thirty-second Statutes at Large, page two hundred and forty-five); but the heirs of said deceased Indians shall have the right, with the consent of the Secretary of the Interior and under such rules as he may prescribe, to relinquish to the United States the lands covered by such allotments and to select surveyed, unappropriated, unreserved land within the limits of any of the ceded Indian lands in the State of Minnesota and outside of the National Forest hereby created in lieu of the land covered by such allotments; and the lands so relinquished by the Indians or their heirs shall thereupon become part of the said National Forest. And the Secretary of the Interior is hereby authorized on request of the Forester of the Department of Agriculture to purchase such relinquishments from said Indians or their heirs and to pay for the same from any moneys received, after the appraisal of timber herein provided for, on account of the sale of timber from the National Forest hereby created, or from the sale of any other products or the use of any lands or resources thereof.

Act May 23, 1908, c. 193, s. 3, 35 Stat. 271.

See note under section 1 of this act.

Agricultural land not included within the national forest open to homestead settlement.

SEC. 4. That all land in any of said reservations, the Winnibigoshish Indian Reservation, Cass Lake Indian Reservation, Chippewas of the Mississippi Reservation, or Leech Lake Indian Reservation not included in the National Forest hereby created as above described, heretofore classified or designated as agricultural lands, is hereby declared to be open to homestead settlement; and any of said land which has been classified as timber land shall be open to homestead settlement as soon and as fast as the timber is removed therefrom, in conformity with the homestead law, except that none of said lands shall be disposed of except on payment of one dollar and twenty-five cents per acre.

Act May 23, 1908, c. 193, s. 4, 35 Stat. 272.

Receipts from prior sales of timber from the lands set aside as a national forest credited to Chippewa Indians; subsequent receipts subject to general laws and regulations governing national forests.

SEC. 5. That all moneys received from the sale of timber from any of the lands set aside by this Act for a National Forest, prior to the appraisal herein provided for, including all moneys received for timber under sales made by the Secretary of the Interior as authorized by existing laws and section two of this Act, shall be placed to the credit of the Chippewa Indians in the State of Minnesota, as provided for in an Act of Congress entitled "An Act for the relief and civilization of the Chippewa Indians in the State of Minnesota," approved January fourteenth, eighteen hundred and eighty-nine; and the Acts supplementary thereto, and shall draw interest at the rate of five per centum per annum, pursuant to the terms of said Acts; and after said appraisal the National Forest hereby created, as above described, shall be subject to all general laws and regulations from time to time governing national forests, so far as said laws and regulations may be applicable thereto.

Act May 23, 1908, c. 193, s. 5, 35 Stat. 272.

Compensation of commission for appraisal of timber reserve.

SEC. 6. That the commissioners provided for herein shall receive a compensation of ten dollars per day each for each and every day actually spent upon the work herein provided for, which shall be paid out of any money in the Treasury of the United States not otherwise appropriated, and no commissioner shall be paid for more than ten days' service.

Act May 23, 1908, c. 193, s. 6, 35 Stat. 272.

Indian burial places within the national forest.

SEC. 7. None of the Indian graves now upon any of the islands or points referred to in this Act shall be disturbed and the Indians shall continue to have the right to bury their dead at such places as they have heretofore used for that purpose, under the rules and regulations to be prescribed by the Forest Service.

Act May 23, 1908, c. 193, s. 7, 35 Stat. 272.

United States not bound to purchase land excluded from the national forest.

SEC. 8. That nothing in this Act contained shall in any manner bind the United States to purchase any of the land in said reservations excluded from the reserve created by this Act, or to dispose of said land, except as provided by the Act of January fourteenth, eighteen hundred and eighty-nine, entitled "An Act for the relief and civilization of the Chippewa Indians in the State of Minnesota," and an Act of June twenty-seventh, nineteen hundred and two, entitled "An Act to amend an Act for the relief and civilization of the Chippewa Indians in the State of Minnesota," or the provisions of this Act; or to guarantee to find purchasers for said lands or any portion thereof, it being the intention of this Act that the United States shall act as trustee for said Indians to dispose of the said lands and the timber thereon, and to dispose of the proceeds thereof, as provided in said Acts, only when received from the sale of the timber and the lands, as therein provided.

Act May 23, 1908, c. 195, s. 8, 35 Stat. 272.
See note under section 1 of this act.

ACT JUNE 25, 1910, c. 431. (36 Stat. 855.)

Sales by the Secretary of the Interior of timber on Chippewa Indian pine-timber lands; Secretary of the Interior authorized to open to homestead entry pine lands bearing unsold timber; lands included in the national forest excepted.

SEC. 27. That where the Secretary of the Interior has offered for sale the pine timber on lands classified as "pine lands" in the ceded Chippewa Indian reservations in the State of Minnesota, either under the provisions of section five of the Act of Congress approved January fourteenth, eighteen hundred and eighty-nine, entitled "An Act for the relief and civilization of the Chippewa Indians in the State of Minnesota" (Twenty-fifth Statutes at Large, page six hundred and forty-two), or under the provisions of the Act of Congress amendatory thereof approved June twenty-seventh, nineteen hundred and two, entitled "An Act to amend an Act entitled 'An Act for the relief and civilization of the Chippewa Indians in the State of Minnesota,' approved January fourteenth, eighteen hundred and eighty-nine" (Thirty-second Statutes at Large, page four hundred), or shall hereafter offer for sale the timber on any such "pine lands" under the Act last described, and the same remains unsold, he shall be authorized to sell the timber unsold at any such offering, after inserting notice of the proposed offering once each week for four consecutive weeks in not less than six newspapers or trade journals of general circulation, the first publication of said notice to be at least three calendar months prior to the sale: *Provided*, That this provision shall supersede any other provision of law with reference to the advertising of Chippewa Indian pine-timber lands for sale: *Provided also*, That printed copies of the rules and regulations and a schedule of the lands and timber shall be furnished applicants therefor at least thirty days prior to the sale: *And provided further*, That except as herein modified the sale shall be conducted in accordance with the provisions of the said Act of June twenty-seventh, nineteen hundred and two. That should there be unsold pine timber on lands classified as "pine lands" after a reoffering under this Act, the Secretary of the Interior is hereby authorized, if he deems it advisable, to open the lands on which such timber is located to homestead settlement, in accordance with the provisions of section six of said Act of January fourteenth, eighteen hundred and eighty-nine, with the condition that the settler shall, at the time of making his original homestead entry, pay for the timber at a rate per thousand feet to be fixed by the Secretary of the Interior, which shall not be less than the minimum price provided by existing law, such payment to be in addition to the price required by law to be paid for the land, the amount of timber to be determined in accordance with existing government estimates, or to be reestimated, if deemed advisable by the Secretary of the Interior, in such manner as he may prescribe and by such agents as he may designate under the authority of the said Act of June twenty-seventh, nineteen hundred and two: *Provided, however*, That nothing herein shall be held to authorize the opening to settlement or entry of any land included in the National Forest created by the Act approved May twenty-third, nineteen hundred and eight, entitled "An Act amending the Act of January fourteenth, eighteen hundred and eighty-nine, and Acts amendatory thereof, and for other purposes."

Act June 25, 1910, c. 431, s. 27, 36 Stat. 862.

Provisions of act June 27, 1902, c. 1157, and act May 23, 1908, c. 193, mentioned in this section, are set forth above.

Secretary of the Interior to make allotments within national forests to Indians living therein; Secretary of Agriculture to determine whether lands applied for are more valuable for agriculture or grazing than for timber.

SEC. 31. That the Secretary of the Interior is hereby authorized, in his discretion, to make allotments within the national forests in conformity with the general allotment laws as amended by section of this Act, to any Indian occupying, living on, or having improvements on land included within any such national forest who is not entitled to an allotment on any existing Indian reservation, or for whose tribe no reservation has been provided, or whose reservation was not sufficient to afford an allotment to each member thereof. All applications for allotments under the provisions of this section shall be submitted to the Secretary of Agriculture, who shall determine whether the lands applied for are more valuable for agricultural or grazing purposes than for the timber found thereon; and if it be found that the lands applied for are more valuable for agricultural or grazing purposes, then the Secretary of the Interior shall cause allotment to be made as herein provided.

Act June 25, 1910, c. 431, s. 31, 36 Stat. 863.

ACT OCTOBER 1, 1890, c. 1263. An act to set apart certain tracts of land in the State of California as forest reservations. (26 Stat. 650.)

Establishment of a forest reserve in California; description of lands included; previous grants to State and bona fide entries not affected.

That the tracts of land in the State of California known as [and] described as follows: Commencing at the northwest corner of township two north, range nineteen east Mount Diablo meridian, thence eastwardly on the line between townships two and three north, ranges twenty-four and twenty-five east; thence southwardly on the line between ranges twenty-four and twenty-five east to the Mount Diablo base line; thence eastwardly on said base line to the corner to township one south, ranges twenty-five and twenty-six east; thence southwardly on the line between ranges twenty-five and twenty-six east to the southeast corner of township two south, range twenty-five east; thence eastwardly on the line between townships two and three south, range twenty-six east to the corner to townships two and three south, ranges twenty-six and twenty-seven east; thence southwardly on the line between ranges twenty-six and twenty-seven east to the first standard parallel south; thence westwardly on the first standard parallel south to the southwest corner of township four south, range nineteen east; thence northwardly on the line between ranges eighteen and nineteen east to the northwest corner of township two south, range nineteen east; thence westwardly on the line between townships one and two south to the southwest corner of township one south, range nineteen east; thence northwardly on the line between ranges eighteen and nineteen east to the northwest corner of township two north, range nineteen east, the place of beginning, are hereby reserved and withdrawn from settlement, occupancy, or sale under the laws of the United States, and set apart as reserved forest lands; and all persons who shall locate or settle upon, or occupy the same or any part thereof, except as hereinafter provided, shall be considered trespassers and removed therefrom: *Provided, however,* That nothing in this act shall be construed as in anywise affecting the grant of lands made to the State of California by virtue of the act entitled

"An act authorizing a grant to the State of California of the Yosemite Valley, and of the land embracing the Mariposa Big-Tree Grove, approved June thirtieth, eighteen hundred and sixty-four; or as affecting any bona-fide entry of land made within the limits above described under any law of the United States prior to the approval of this act.

Act October 1, 1890, c. 1263, s. 1, 26 Stat. 650.

All the lands described in this section and not included within the description of the land described in act February 7, 1905, c. 547, s. 1, set forth below, are made a part of the Sierra Forest Reserve, by a proviso annexed to section 1 of said act February 7, 1905.

The recession by the State of California of the Yosemite Valley and the Mariposa Big-Tree Grove is accepted, and said tracts with other lands are set apart as reserved forest lands, subject to the provisions of this act, and are to form a part of the Yosemite National Park, and certain lands are excluded from said park and are made a part of the Sierra Forest Reserve, by Res. June 11, 1906, No. 27, set forth on p. 127, *post*.

Forest reserve under control of Secretary of the Interior; rules and regulations for care and management, preservation of timber, etc.; leases for building sites and disposal of revenues; protection of fish and game; removal of trespassers.

SEC. 2. That said reservation shall be under the exclusive control of the Secretary of the Interior, whose duty it shall be, as soon as practicable, to make and publish such rules and regulations as he may deem necessary or proper for the care and management of the same. Such regulations shall provide for the preservation from injury of all timber, mineral deposits, natural curiosities, or wonders within said reservation, and their retention in their natural condition. The Secretary may, in his discretion, grant leases for building purposes for terms not exceeding ten years of small parcels of ground not exceeding five acres; at such places in said reservation as shall require the erection of buildings for the accommodation of visitors; all of the proceeds of said leases and other revenues that may be derived from any source connected with said reservation to be expended under his direction in the management of the same and the construction of roads and paths therein. He shall provide against the wanton destruction of the fish, and game found within said reservation, and against their capture or destruction, for the purposes of merchandise or profit. He shall also cause all persons trespassing upon the same after the passage of this act to be removed therefrom, and, generally, shall be authorized to take all such measures as shall be necessary or proper to fully carry out the objects and purposes of this act.

Act October 1, 1890, c. 1263, s. 2, 26 Stat. 651.

The execution of all laws affecting public lands reserved as forest reserves, excepting such laws as affect the surveying, prospecting, locating, entering, etc., and patenting of such lands, is transferred from the Secretary of the Interior to the Secretary of Agriculture by act February 1, 1905, c. 288, s. 1, set forth on p. 86, *ante*.

Provisions for the protection and administration of forest reservations in general are contained in act June 4, 1897, c. 2, s. 1, set forth on p. 87, *ante*.

Additional forest reserves in California; description.

SEC. 3. There shall also be and is hereby reserved and withdrawn from settlement, occupancy or sale under the laws of the United States, and shall be set apart as reserved forest lands, as hereinbefore

provided, and subject to all the limitations and provisions herein contained, the following additional lands, to wit: Township seventeen, south, range thirty east of the Mount Diablo meridian, excepting sections thirty-one, thirty-two, thirty-three, and thirty-four of said township, included in a previous bill. And there is also reserved and withdrawn from settlement, occupancy or sale under the laws of the United States, and set apart as forest lands, subject to like limitations, conditions and provisions, all of townships fifteen and sixteen, south, of ranges twenty-nine and thirty east of the Mount Diablo meridian. And there is also hereby reserved and withdrawn from settlement, occupancy or sale under the laws of the United States, and set apart as reserved forest lands under like limitations, restrictions and provisions, Sections five and six in township fourteen, south, range twenty-eight, east of Mount Diablo meridian, and also Sections thirty-one and thirty-two of township thirteen, south, range twenty-eight east of the same meridian. Nothing in this act shall authorize rules or contracts touching the protection and improvement of said reservations, beyond the sums that may be received by the Secretary of the Interior under the foregoing provisions, or authorize any charge against the Treasury of the United States.

Act October 1, 1890, c. 1263, s. 3, 26 Stat. 651.

The disposition of revenues derived from privileges on lands segregated from Yosemite National Park and included within the Sierra Forest Reserve is provided for by Res. June 11, 1906, No. 2, s. 3, set forth below.

ACT FEBRUARY 7, 1905, c. 547. An act to exclude from the Yosemite National Park, California, certain lands therein described, and to attach and include the said lands in the Sierra Forest Reserve. (33 Stat. 702.)

Forest reserves in California; lands segregated from Yosemite National Park and included in Sierra Forest Reserve; description; rights of way over the lands; disposition of moneys received from privileges.

That the tracts of land in the State of California known and described as follows: Beginning at the point where the middle of the channel of the South Fork of the Merced River intersects the line between sections three and four, township four south, range twenty east, Mount Diablo base and meridian; thence northerly along section lines through the middle of townships three and four south, range twenty east, to the northwest corner of section three, township three south, range twenty east; thence westerly along township line to the southwest corner of section thirty-three, township two south, range twenty east; thence northerly along section lines to the northwest corner of section twenty-one, said township; thence westerly along section lines to the southwest corner of section eighteen, said township; thence southerly along range line to the southeast corner of the northeast quarter of section twenty-four, township two south, range nineteen east; thence westerly to the southwest corner of the northeast quarter of section twenty-four, said township; thence southerly to the southeast corner of the southwest quarter of section twenty-four, said township; thence westerly along section lines to the southwest corner of section twenty-three, said township; thence northerly along section lines to the northwest corner of the southwest quarter of section fourteen, said township; thence easterly to the northeast corner of the southeast quarter of section fourteen, said township; thence northerly along section line to the northwest corner of section

thirteen, said township; thence easterly along section line to the northeast corner of section thirteen, said township; thence northerly along range line to the northwest corner of the southwest quarter of section seven, township two south, range twenty east; thence easterly to the northeast corner of the southeast quarter of section seven, said township; thence southerly along section line to the northwest corner of section seventeen, said township; thence easterly along section lines to the northeast corner of section sixteen, said township; thence northerly along section lines to the northwest corner of section three, said township; thence westerly along township line to the southwest corner of section thirty-three, township one south, range twenty east; thence northerly along section lines to the northwest corner of section twenty-one, said township; thence westerly along section lines to the southwest corner of section eighteen, said township; thence northerly along range line to the northwest corner of section six, said township; thence westerly along Mount Diablo base line to the southwest corner of section thirty-four, township one north, range nineteen east; thence northerly along section lines through the middle of townships one and two north, range nineteen east, to the point of intersection with the summit of the divide between Cherry Creek on the west and Eleanor and Fall creeks on the east; thence along the summit of said divide in a northeasterly direction to the summit of the Sierra Nevada Mountains; thence southeasterly along the summit of the Sierra Nevada Mountains to the divide between the Merced and San Joaquin rivers; thence southwesterly along said divide to the point of intersection with the south boundary of township four south, range twenty-three east, Mount Diablo base and meridian; thence westerly along township line to the point of intersection with the middle of the channel of the South Fork of the Merced River; thence westerly down the middle of said river to the place of beginning, are hereby reserved and withdrawn from settlement, occupancy, or sale under the laws of the United States, and set apart as reserved forest lands, subject to all the provisions of the Act of Congress approved October first, eighteen hundred and ninety, entitled "An Act to set apart certain tracts of land in the State of California as forest reservations:" *Provided*, That all those tracts or parcels of land described in section one of the said Act of October first, eighteen hundred and ninety, and not included within the metes and bounds of the land above described, be, and the same are hereby, included in and made part of the Sierra Forest Reserve: *And provided further*, That the Secretary of the Interior may require the payment of such price as he may deem proper for privileges on the land herein segregated from the Yosemite National Park and made a part of the Sierra Forest Reserve accorded under the Act approved February fifteenth, nineteen hundred and one, relating to rights of way over certain parks, reservations, and other lands, and other acts concerning rights of way over public lands; and the moneys received from the privileges accorded on the lands herein segregated and included in the Sierra Forest Reserve shall be paid into the Treasury of the United States, to be expended, under the direction of the Secretary of the Interior, in the management, improvement, and protection of the forest lands herein set aside and reserved, which shall hereafter be known as the "Yosemite National Park."

Act February 7, 1905, c. 547, s. 1, 33 Stat. 702.

Act October 1, 1890, c. 1263, mentioned in this section, is set forth above.

Act February 15, 1901, c. 372, also mentioned in this section, is set forth on p. 143, *post*.

The recession by the State of California of the Yosemite Valley and the Mariposa Big-Tree Grove is accepted, and said tracts with other lands are set apart as reserved forest lands, to form a part of the Yosemite National Park, and the boundaries of said park are changed, and the lands thereby excluded from said park are made a part of the Sierra Forest Reserve, with provisions relating thereto similar to those of this act, by Res. June 11, 1906, No. 27, set forth below.

The disposition of revenues derived from privileges on lands segregated from Yosemite National Park and included within the Sierra Forest Reserve is provided for by Res. June 11, 1906, No. 27, s. 3, set forth below.

Privileges of lieu-land scrip provisions of the land laws not applicable to lands patented or in private ownership included in the reserve; general laws, rules, and regulations affecting forest reservations applicable within area included.

SEC. 2. That none of the lands patented and in private ownership in the area hereby included in the Sierra Forest Reserve shall have the privileges of the lieu-land scrip provisions of the land laws, but otherwise to be in all respects under the laws and regulations affecting the forest reserves, and immediately upon the passage of this Act all laws, rules, and regulations affecting forest reservations, including the right to change the boundaries thereof by Executive proclamation, shall take effect and be in force within the limits of the territory excluded by this Act from the Yosemite National Park, except as herein otherwise provided.

Act February 7, 1905, c. 547, s. 2, 33 Stat. 703.

The lieu-land scrip provisions, mentioned in this section, contained in act June 4, 1897, c. 2, s. 1, act June 6, 1900, c. 701, s. 1, and act March 3, 1901, c. 831, s. 1, are repealed by act March 3, 1905, c. 1495 set forth on p. 96, *ante*.

The previous provision relating to the right to change boundaries of forest reservations by Executive proclamation, mentioned herein, is contained in act June 4, 1897, c. 2, set forth on p. 87, *ante*.

Subsequent provisions in the same language as this section, relating to lands included in the Sierra Forest Reserve, are contained in Res. June 11, 1906, No. 27, s. 2, set forth below.

Time act takes effect.

SEC. 3. That this Act shall take effect and be in force from and after its passage.

Act February 7, 1905, c. 547, s. 3, 33 Stat. 703.

RESOLUTION JUNE 11, 1906, No. 27. Joint resolution accepting the recession by the State of California of the Yosemite Valley grant and the Mariposa Big Tree Grove, and including the same, together with fractional sections five and six, township five south, range twenty-two east, Mount Diablo meridian, California, within the metes and bounds of the Yosemite National Park, and changing the boundaries thereof. (34 Stat. 831.)

Recession by California of Yosemite Valley and Mariposa Big Tree Grove accepted, and lands set apart as reserved forest lands and part of Yosemite National Park; boundaries of park changed and lands excluded thereby included in Sierra Forest Reserve; disposition of moneys from privileges; grants of right of way for railways on lands included in Sierra Forest Reserve.

That the recession and regranting unto the United States by the State of California of the cleft or gorge in the granite peak of the

Sierra Nevada Mountains, situated in the county of Mariposa, State of California, and the headwaters of the Merced River, and known as the Yosemite Valley, with its branches or spurs, granted unto the State of California in trust for public use, resort, and recreation by the Act of Congress entitled "An Act authorizing a grant to the State of California of the Yosemite Valley and of the land embracing the Mariposa Big Tree Grove," approved June thirtieth, eighteen hundred and sixty-four (Thirteenth Statutes, page three hundred and twenty-five), as well as the tracts embracing what is known as the "Mariposa Big Tree Grove," likewise granted unto the State of California by the aforesaid Act of Congress, is hereby ratified and accepted, and the tracts of land embracing the Yosemite Valley and the Mariposa Big Tree Grove, as described in the Act of Congress approved June thirtieth, eighteen hundred and sixty-four, together with that part of fractional sections five and six, township five south, range twenty-two east, Mount Diablo meridian, California, lying south of the South Fork of Merced River and almost wholly between the Mariposa Big Tree Grove and the present south boundary of the Yosemite National Park, be, and the same are hereby, reserved and withdrawn from settlement, occupancy, or sale under the laws of the United States and set apart as reserved forest lands, subject to all the limitations, conditions, and provisions of the Act of Congress approved October first, eighteen hundred and ninety, entitled "An Act to set apart certain tracts of land in the State of California as forest reservations," as well as the limitations, conditions, and provisions of the Act of Congress approved February seventh, nineteen hundred and five, entitled "An Act to exclude from the Yosemite National Park, California, certain lands therein described, and to attach and include the said lands in the Sierra Forest Reserve," and shall hereafter form a part of the Yosemite National Park.

The south and west boundary lines of the Yosemite National Park are hereby changed as follows: Beginning at the point on the line between sections thirty-five and thirty-six, township four south, range twenty-one east, where same intersects the middle of the channel of the South Fork of the Merced River; thence north on section line to the southwest corner of section twenty-five; thence west on section lines to the southwest corner of section twenty-eight; thence north on section line to the northwest corner of section twenty-eight; thence west on section line to the quarter-section corner between sections twenty and twenty-nine; thence north through the middle of section twenty to the center thereof; thence east through the middle of section twenty to the quarter-section corner between sections twenty and twenty-one; thence north on section line to the quarter-section corner between sections sixteen and seventeen; thence west through middle of section seventeen to the center thereof; thence north through the middle of sections seventeen, eight, and five to the quarter-section corner of north boundary of section five on township boundary, all in township four south, range twenty-one east; thence north through the middle of section thirty-two, township three south, range twenty-one east, to the center thereof; thence west through the middle of section thirty-two, said township, and section thirty-six, township three south, range twenty east, to the quarter-section corner between sections thirty-five and thirty-six; thence north on section line to the quarter-section corner between sections twenty-

five and twenty-six; thence east through the middle of section twenty-five to the center thereof; thence north through the middle of sections twenty-five and twenty-four to the center of section twenty-four; thence west through the middle of sections twenty-four, twenty-three, and twenty-two to the quarter-section corner between sections twenty-one and twenty-two, township three south, range twenty east, on the present western boundary of the Yosemite National Park. And all that portion of the Yosemite National Park lying between the boundary line last above mentioned and the present boundary line of said national park is excluded from said park; and the said lands so excluded, and all thereof, are added to and made a part of the Sierra Forest Reserve, and shall hereafter form a part of said Sierra Forest Reserve, and shall be subject to all of the Acts of Congress with relation thereto: *Provided*, That the Secretary of the Interior may require the payment of such price as he may deem proper for privileges on the land herein segregated from the Yosemite National Park and made a part of the Sierra Forest Reserve accorded under the Act approved February fifteenth, nineteen hundred and one, relating to rights of way over certain parks, reservations, and other lands, and other Acts concerning rights of way over public lands: *And provided further*, That in the grant of any right of way for railway purposes across the lands placed under this measure within the Sierra Forest Reserve it shall be stipulated that no logs or timber shall be hauled over the same without the consent of the Secretary of the Interior, and under regulations to be promulgated by him.

Res. June 11, 1906, No. 27, s. 1, 34 Stat. 831.

Act October 1, 1890, c. 1263, and act February 7, 1905, c. 547, mentioned in this section, are set forth above.

Act February 15, 1901, c. 372, also mentioned in this section, is set forth on p. 143, *post*.

A proviso in the same language as the first proviso of this section is annexed to act February 7, 1905, c. 547, s. 1, set forth above.

Privileges of lieu-land scrip provisions of the land laws not applicable to lands patented or in private ownership included in Sierra Forest Reserve; general laws, rules, and regulations affecting forest reservations applicable within territory included.

SEC. 2. That none of the lands patented and in private ownership in the area hereby included in the Sierra Forest Reserve shall have the privileges of the lieu-land scrip provisions of the land laws, but otherwise to be in all respects under the laws and regulations affecting the forest reserves, and immediately upon the passage of this Act all laws, rules, and regulations affecting forest reservations, including the right to change the boundaries thereof by Executive proclamation, shall take effect and be in force within the limits of the territory excluded by this Act from the Yosemite National Park, except as herein otherwise provided.

Res. June 11, 1906, No. 27, s. 2, 34 Stat. 832.

Previous provisions in the same language as this section, relating to lands included in the Sierra Forest Reserve, are contained in Act February 7, 1905, c. 547, s. 2, set forth above.

Disposition of revenues derived from privileges on the lands included in the Sierra Forest Reserve.

SEC. 3. That all revenues derived from privileges in the park authorized under the Act of October first, eighteen hundred and ninety,

the Act of February seventh, nineteen hundred and five, as well as under this measure, or from privileges accorded on the lands herein segregated from said park and included within the Sierra Forest Reserve, shall be paid into the Treasury of the United States, to be expended under the direction of the Secretary of the Interior in the management, protection, and improvement of the Yosemite National Park.

Res. June 11, 1906, No. 27, s. 3, 34 Stat. 832.

Act October 1, 1890, c. 1263, and act February 7, 1905, c. 547, mentioned in this section, are set forth above.

ACT FEBRUARY 13, 1909, c. 143. An act to create the Calaveras Bigtree National Forest, and for other purposes. (35 Stat. 626.)

Establishment of Calaveras Bigtree National Forest; acquisition of lands; reimbursement of owners.

That the Secretary of Agriculture, to secure and protect for all time the big trees scientifically known as *Sequoia washingtoniana*, is hereby empowered, in his discretion, to obtain for the United States the complete title to any or all of the following-described lands in the State of California: In township four north, range fifteen east, Mount Diablo meridian, the northeast quarter of section one; in township four north, range sixteen east, Mount Diablo meridian, the north half of section six; in township five north, range fifteen east, Mount Diablo meridian, the southwest quarter of section fourteen, south half of section fifteen, north half of section twenty-two, northwest quarter of section twenty-three, and southeast quarter of section thirty-six, and in township five north, range sixteen east, Mount Diablo meridian, the west half of section twenty-eight, the east half and southwest quarter of section twenty-nine, the southeast quarter of section thirty, all of sections thirty-one, thirty-two, and the northwest quarter of section thirty-three. And such area or areas, as fast as complete title is acquired, shall be permanently held by the United States and shall be known as the Calaveras Bigtree National Forest and shall be administered, and protected, by the Secretary of Agriculture from the funds appropriated for the administration of National Forest land to prolong the existence, growth, and promote the reproduction of said big trees: *Provided*, That the owners of land acquired hereunder shall convey to the United States full title to any of the above-described areas approved for said national forests by the Secretary of Agriculture, the completeness of such title to be determined by the Secretary of the Interior in each case, and shall be reimbursed therefor only in one or both of the following ways: (1) They may be given the right to file with the Secretary of the Interior, within sixty days after such conveyance, selections of surveyed, unappropriated, nonmineral public lands or of nonmineral national forest lands, and if the lands so selected shall be found subject to selection and of the actual value in lands and stumpage substantially equal to that of the lands and stumpage conveyed they may be patented to said owners in lieu of the conveyed lands: *Provided, however*, That in any case where any part of the lands selected is national forest land, the approval of the Secretary of Agriculture shall first be secured with respect to such part, or (2) the Secretary of Agriculture may grant to any such conveying owner the right to cut from national forest land an amount of timber and wood, substantially equal to the

amount of timber and wood on the land acquired by the United States under the provisions of this Act: *Provided*, That nothing contained in this Act shall warrant an appropriation from the Treasury to carry out the terms of this Act.

Act February 18, 1909, c. 143, 35 Stat. 626, as amended by act May 7, 1912, c. 105, s. 1, 37 Stat. 108.

Appropriation for carrying out act.

SEC. 2. That there is hereby appropriated, out of any money in the Treasury not otherwise appropriated, the sum of ten thousand dollars, or so much thereof as may be necessary, for the purposes of fully carrying out the provisions of this Act.

Act February 18, 1909, c. 143, as amended by act May 7, 1912, c. 105, s. 2, 37 Stat. 108.

ACT FEBRUARY 18, 1911, c. 115. An act to reserve certain lands and to incorporate the same and make them a part of the Pocatello National Forest. (36 Stat. 919.)

That the following-described lands, to wit, sections three, four, five, six, seven, eight, and nine, township nine south, range thirty-five; section twenty-two, township eight south, range thirty-four; and section one, township nine south, range thirty-four, all in Bannock and Oneida counties, Idaho, be, and the same are hereby, reserved and withdrawn from entry and made a part of and included in the Pocatello National Forest.

Act February 18, 1911, c. 115, 36 Stat. 919.

ACT MARCH 3, 1905, c. 1479. (33 Stat. 1048.)

Addition to Uintah Forest Reserve authorized; disposition of proceeds from timber thereon.

That before the opening of the Uintah Indian Reservation the President is hereby authorized to set apart and reserve as an addition to the Uintah Forest Reserve, subject to the laws, rules, and regulations governing forest reserves, and subject to the mineral rights granted by the Act of Congress of May twenty-seventh, nineteen hundred and two, such portion of the lands within the Uintah Indian Reservation as he considers necessary, and he may also set apart and reserve any reservoir site or other lands necessary to conserve and protect the water supply for the Indians or for general agricultural development, and may confirm such rights to water thereon as have already accrued: *Provided*, That the proceeds from any timber on such addition as may with safety be sold prior to June thirtieth, nineteen hundred and twenty, shall be paid to said Indians in accordance with the provisions of the Act opening the reservation.

Act March 3, 1905, c. 1479, 33 Stat. 1070.

This is a paragraph of the Indian appropriation act for the fiscal year 1906, cited above.

ACT MARCH 4, 1911, c. 273. An act authorizing the Secretary of the Interior to exchange certain desert lands for lands within national forests in Oregon. (36 Stat. 1357.)

Relinquishment by Oregon of selections of certain lands and patents therefor in exchange for reconveyance of certain lands within national forests, to become parts of national forests.

That the State of Oregon is hereby authorized to relinquish its selection heretofore made under the terms of the Act of August

eighteenth, eighteen hundred and ninety-four (Twenty-eighth Statutes, page three hundred and seventy-two), and Acts amendatory and supplemental thereto of the following lands:

Section three; east half, east half of west half, southwest quarter of southwest quarter of section four; southwest quarter, west half of southeast quarter, southeast quarter of southeast quarter of section five; south half of section six; all of sections seven, eight, nine, ten, fifteen, seventeen, eighteen, nineteen, twenty, twenty-one, and twenty-two of township twenty-four south, range thirty-three east, Willamette meridian, containing eight thousand seven hundred and ninety-three and forty-seven one-hundredths acres; and the Secretary of the Interior, upon recommendation of the Secretary of Agriculture, may issue patent to said lands in exchange for and upon reconveyance to the United States of the following lands within national forests in the State of Oregon:

All of fractional section thirty-six, township twenty-one south, range twelve east; all of section sixteen, township twenty-one south, range twelve east; the southeast quarter of section thirty-six, township twenty south, range fourteen east; all of section sixteen, township twenty-three south, range sixteen east; the south half of northwest quarter, the northwest quarter of northwest quarter, the northeast quarter of northeast quarter, the south half of section sixteen, township twenty-eight south, range ten east; south half of north half of section sixteen, township fifteen south, range thirty-one east; northwest quarter of northwest quarter of section sixteen, township seventeen south, range thirty-two east; all of section thirty-six, township three south, range forty-seven east; all of section sixteen, township nineteen south, range thirty-one east; southeast quarter of southeast quarter of section sixteen, east half of northeast quarter, west half of northwest quarter of section thirty-six, township twenty south, range thirty-three east; all of section sixteen, township three south, range forty-one east; south half and northwest quarter of section thirty-six, township nineteen south, range thirty-two east; north half of section sixteen, township fourteen south, range thirty-three east; all of sections sixteen and thirty-six, township seven south, range thirty-four east; section sixteen, township eight south, range thirty-two east; all of section thirty-six, township fourteen south, range thirty-five and a half east; all of section thirty-six, township two south, range forty east, Willamette meridian.

Provided, That the timber or undergrowth shall not have been removed from said forest lands: *Provided further*, That upon reconveyance to the United States the lands shall become parts of the national forests in which they are situated.

Act March 4, 1911, c. 273, 36 Stat. 1357.

ACT JULY 31, 1912, c. 264. An act to authorize the exchange of certain lands with the State of Michigan. (37 Stat. 241.)

Acceptance from State of Michigan of lands for a national forest.

That, upon the request of the Secretary of Agriculture, the Secretary of the Interior may accept on behalf of the United States the conveyance to the United States, by or from the State of Michigan, of any lands owned by the State of Michigan which the said State of Michigan is willing to convey to the United States, and which,

in the opinion of the Secretary of Agriculture, should be included in, or made a part of, or set aside as and for a national forest in said State; and upon such acceptance the lands so conveyed shall immediately, and by force of this Act alone, be reserved and set aside as national-forest lands, and be subject to all the laws affecting other national forests.

Act July 31, 1912, c. 264, s. 1, 37 Stat. 241.

Selection by State of Michigan of lands in lieu of lands conveyed to United States.

SEC. 2. That the State of Michigan is hereby authorized to select, in lieu of any lands conveyed to the United States under the foregoing provisions of this Act, other lands of equal area and approximately equal value from any part of the unappropriated public lands in said State, including lands within a national forest. A description of the lands selected, together with a description of the lands conveyed, or intended to be conveyed under this Act, shall be filed with the Secretary of Agriculture: *Provided*, That the question as to whether any lands intended to be conveyed under the provisions of this Act are approximately equal in value to the lands selected and whether the mutual exchange of said lands would be beneficial to the public interests subserved by the national forests in the State of Michigan shall be determined by the Secretary of Agriculture.

Act July 31, 1912, c. 264, s. 2, 37 Stat. 241.

Certification as to equal value of lands selected and lands conveyed, and as to benefit of exchange to administration of national forests.

SEC. 3. That upon the certification to the Secretary of the Interior by the Secretary of Agriculture that the lands selected and the lands conveyed are of equal value, and that the exchange of said lands would be beneficial to the administration of the national forests in the State of Michigan, the Secretary of the Interior shall determine, in accordance with the rules and regulations to be prescribed by him, whether the lands selected by the State are unappropriated lands, and if so found he shall issue a patent for said selected lands to the State of Michigan: *Provided*, That no deed or other instrument of conveyance shall be accepted by the United States until the Attorney General of the United States shall certify that a good and sufficient title to such lands is vested in the United States by said conveyance.

Act July 31, 1912, c. 264, s. 3, 37 Stat. 241.

ACT AUGUST 22, 1912, c. 327. An act to provide for the exchange of national forest timber in New Mexico for private lands lying within the exterior limits of the Zuni National Forest. (37 Stat. 323.)

Exchange of timber within Pecos National Forest for privately owned lands within the exterior limits of Zuni National Forest.

That the Secretary of Agriculture, for the purpose of increasing the area of the timberland included within the Zuni National Forest by the addition thereto of certain privately owned timberland lying within the exterior limits of the said national forest, be, and the same is hereby, authorized and empowered, in his discretion, in behalf of the United States, to exchange timber within the Pecos national forest in New Mexico for privately owned timberlands embraced in the odd-numbered sections of township eleven north, range twelve west, New Mexico principal meridian, which are now within the

exterior limits of the Zuni National Forest, New Mexico: *Provided*, That such exchange shall be made under the following conditions: The saw timber on such private lands shall be exchanged for the saw timber on such national forest lands, thousand feet for thousand feet; cordwood and posts from piñon and cedar on such private lands shall, after estimate and appraisal by forest officers, be exchanged for an equivalent value of national forest timber at an appraisal of not less than two dollars and fifty cents per thousand feet board measure; and the privately owned land at a valuation of not more than sixty-two and one-half cents per acre shall be exchanged for an equivalent value of national forest timber at an appraisal of not less than two dollars and fifty cents per thousand feet board measure: *Provided*, That the Attorney General of the United States shall first pass upon the title of the privately owned land to be exchanged under the provisions of this bill: *Provided further*, That the national forest timber to be so exchanged shall be cut under the rules and regulations promulgated by the Secretary of Agriculture for the cutting of timber on the national forests, and that the time within which such timber shall be removed shall be determined by the said Secretary of Agriculture: *And provided further*, That the land deeded to the United States under the provisions of this Act shall forthwith become a part of the Zuni National Forest.

Act August 22, 1912, c. 327, 37 Stat. 323.

ACT MARCH 13, 1908, c. 84. An act authorizing the exchange of lands for the enlargement of maneuvering grounds. (35 Stat. 42.)

Acquisition of privately owned lands in Crow Creek National Forest for enlargement of military maneuvering grounds and exchange therefor of public land subject to entry in Wyoming.

That whenever the Secretary of War shall deem the acquisition of lands in private ownership necessary for the enlargement of the military maneuvering grounds for the United States Army and National Guard within the reservation known as the Crow Creek National Forest, he may certify to the Secretary of the Interior the description of such specific tract or tracts of land as he may deem necessary for such purpose, and the Secretary of the Interior may thereupon, with the approval of the President, exchange therefor an equal area of any of the unoccupied, nonmineral, untimbered public land subject to entry within the State of Wyoming.

Act March 13, 1908, c. 84, 35 Stat. 42.

ACT FEBRUARY 28, 1911, c. 181. An act to consolidate certain forest lands in the Kansas National Forest. (36 Stat. 960.)

Exchange of lands a part of Kansas National Forest for privately owned lands within exterior limits thereof.

That the Secretary of the Interior, for the purpose of consolidating the forest lands belonging to the United States within the Kansas National Forest, be, and he hereby is, authorized and empowered, upon the recommendation of the Secretary of Agriculture, to exchange lands belonging to the United States which are part of the Kansas National Forest for privately owned lands lying within the exterior limits of the said national forest: *Provided*, That the lands so exchanged shall be equal in area and substantially equal in

value: *And provided further*, That upon the consummation of such exchange the land deeded to the United States thereunder shall become a part of the Kansas National Forest.

Act February 28, 1911, c. 181, 36 Stat. 960.

ACT JULY 15, 1912, c. 234. An act to allow an exchange of certain lands in the Harney National Forest. (37 Stat. 192.)

Exchange of certain lands in Black Hills National Forest for certain lands made a part of Harney National Forest.

That upon the transfer by John L. Baird to the United States of title to the east half of the southeast quarter, and lot numbered one in section four, and lot numbered four in section three, all in township one south, range one east, of Black Hills meridian, containing one hundred and fifty-five and ninety-six one hundredths acres, situated in the Black Hills National Forest, the Secretary of the Interior is authorized, upon the approval of the Secretary of Agriculture, to issue a patent to said John L. Baird for the lands covered by the Keen Stone Placer mineral survey numbered nineteen hundred and forty-seven, in Lawrence County, South Dakota, containing ninety and nine hundred and seventy-eight one-thousandths acres; and the lands thus transferred to the United States shall thereupon become a part of the Harney National Forest.

Act July 15, 1912, c. 234, 37 Stat. 192.

ACT JULY 25, 1912, c. 252. An act to consolidate certain forest lands in the Paulina (Oregon) National Forest. (37 Stat., 200.)

Exchange of lands a part of Paulina National Forest for privately owned lands within exterior limits thereof.

That the Secretary of the Interior, for the purpose of consolidating the forest lands belonging to the United States within the Paulina (Oregon) National Forest, be, and he hereby is, authorized and empowered, upon the recommendation of the Secretary of Agriculture, to exchange lands belonging to the United States which are part of the Paulina (Oregon) National Forest for privately owned lands lying within the exterior limits of the said national forest: *Provided*, That the lands so exchanged shall be equal in area and substantially equal in value: *And provided further*, That upon the consummation of such exchange the land deeded to the United States thereunder shall become a part of the Paulina (Oregon) National Forest.

Act July 25, 1912, c. 252, 37 Stat. 200.

ACT AUGUST 10, 1912, c. 284. (37 Stat. 269.)

Fort Wingate military reservation made part of Zuni National Forest.

* * * That all of the military reservation of Fort Wingate, New Mexico, as described in Executive order of May thirty-first, nineteen hundred and eleven (Number thirteen hundred and sixty-seven), shall become a part of the Zuni National Forest and shall so remain until said order shall be revoked, modified, or suspended by the President, but that the said lands shall remain subject to the unhampered use of the War Department for military purposes, and to insure such use the land shall not be subject to any form of appropriation or disposal under the land laws of the United States; * * *

Act August 10, 1912, c. 284, 37 Stat. 286.

This is a proviso annexed to the agricultural appropriation act for the fiscal year 1913, cited above.

ACT JUNE 20, 1910, c. 310. (36 Stat. 557.)

Consent of State of New Mexico to conditions of grants of lands to State.

Ninth. That the State [New Mexico] and its people consent to all and singular the provisions of this Act concerning the lands hereby granted or confirmed to the State, the terms and conditions upon which said grants and confirmations are made, and the means and manner of enforcing such terms and conditions, all in every respect and particular as in this act provided.

Act June 20, 1910, c. 310, s. 2, 36 Stat. 560.

Grants of certain sections of land to New Mexico for schools not to include national forests embracing such sections until restored to public domain; granted sections to be administered as part of national forests; payment of proportion of proceeds of national forests to State for school purposes.

* * * That the grants of sections two, sixteen, thirty-two, and thirty-six to said State, [New Mexico] within national forests now existing or proclaimed, shall not vest the title to said sections in said State until the part of said national forests embracing any of said sections is restored to the public domain; but said granted sections shall be administered as a part of said forests, and at the close of each fiscal year there shall be paid by the Secretary of the Treasury to the State, as income for its common-school fund, such proportion of the gross proceeds of all the national forests within said State as the area of lands hereby granted to said State for school purposes which are situate within said forest reserves, whether surveyed or unsurveyed, and for which no indemnity has been selected, may bear to the total area of all the national forests within said State, the area of said sections when unsurveyed to be determined by the Secretary of the Interior, by protraction or otherwise, the amount necessary for such payments being appropriated and made available annually from any money in the Treasury not otherwise appropriated.

Act June 20, 1910, c. 310, s. 6, 36 Stat. 562.

Consent of State of Arizona to conditions of grants of lands to State.

Ninth. That the State [Arizona] and its people consent to all and singular the provisions of this Act concerning the lands hereby granted or confirmed to the State, the terms and conditions upon which said grants and confirmations are made, and the means and manner of enforcing such terms and conditions, all in every respect and particular as in this act provided.

Act June 20, 1910, c. 310, s. 20, 36 Stat. 570.

Grants of certain sections of land to Arizona for schools not to include national forests embracing such sections until restored to public domain; granted sections to be administered as part of national forests; payment of proportion of proceeds of national forests to State for school purposes.

* * * That the grants of sections two, sixteen, thirty-two, and thirty-six to said State [Arizona], within national forests now existing or proclaimed, shall not vest the title to said sections in said State until the part of said national forests embracing any of said sections is restored to the public domain; but said granted sections shall be administered as a part of said forests, and at the close of each fiscal year there shall be paid by the Secretary of the Treasury to the State, as income for its common-school fund, such proportion of the gross

proceeds of all the national forests within said State as the area of lands hereby granted to said State for school purposes which are situated within said forest reserves, whether surveyed or unsurveyed, and for which no indemnity has been selected, may bear to the total area of said sections when unsurveyed to be determined by the Secretary of the Interior, by protraction or otherwise, the amount necessary for such payments being appropriated and made available annually from any money in the Treasury not otherwise appropriated.

Act June 20, 1910, c. 310, s. 24, 36 Stat. 573.

These are provisions of "An act to enable the people of New Mexico to form a constitution and State government and be admitted into the Union on an equal footing with the original States; and to enable the people of Arizona to form a constitution and State government and be admitted into the Union on an equal footing with the original States."

ACT JUNE 11, 1906, c. 3074. An act to provide for the entry of agricultural lands within forest reserves. (34 Stat. 233.)

Agricultural lands within forest reserves to be opened to homestead entry; preference rights of former settlers and of applicants; plat and field notes to be filed and posted; surveys; credit to settlers for actual residence.

That the Secretary of Agriculture may, in his discretion, and he is hereby authorized, upon application or otherwise, to examine and ascertain as to the location and extent of lands within permanent or temporary forest reserves, except the following counties in the State of California, Inyo, Tulare, Kern, San Luis Obispo, Santa Barbara, Ventura, Los Angeles, San Bernardino, Orange, Riverside, and San Diego; which are chiefly valuable for agriculture, and which, in his opinion, may be occupied for agricultural purposes without injury to the forest reserves, and which are not needed for public purposes, and may list and describe the same by metes and bounds, or otherwise, and file the lists and descriptions with the Secretary of the Interior, with the request that the said lands be opened to entry in accordance with the provisions of the homestead laws and this Act.

Upon the filing of any such list or description the Secretary of the Interior shall declare the said lands open to homestead settlement and entry in tracts not exceeding one hundred and sixty acres in area and not exceeding one mile in length, at the expiration of sixty days from the filing of the list in the land office of the district within which the lands are located, during which period the said list or description shall be prominently posted in the land office and advertised for a period of not less than four weeks in one newspaper of general circulation published in the county in which the lands are situated: *Provided*, That any settler actually occupying and in good faith claiming such lands for agricultural purposes prior to January first, nineteen hundred and six, and who shall not have abandoned the same, and the person, if qualified to make a homestead entry, upon whose application the land proposed to be entered was examined and listed, shall, each in the order named, have a preference right of settlement and entry: *Provided further*, That any entryman desiring to obtain patent to any lands described by metes and bounds entered by him under the provisions of this Act shall, within five years of the date of making settlement, file, with the required proof

of residence and cultivation, a plat and field notes of the lands entered, made by or under the direction of the United States surveyor-general, showing accurately the boundaries of such lands, which shall be distinctly marked by monuments on the ground, and by posting a copy of such plat, together with a notice of the time and place of offering proof, in a conspicuous place on the land embraced in such plat during the period prescribed by law for the publication of his notice of intention to offer proof, and that a copy of such plat and field notes shall also be kept posted in the office of the register of the land office for the land district in which such lands are situated for a like period; and further, that any agricultural lands within forest reserves may, at the discretion of the Secretary, be surveyed by metes and bounds, and that no lands entered under the provisions of this Act shall be patented under the commutation provisions of the homestead laws, but settlers, upon final proof, shall have credit for the period of their actual residence upon the lands covered by their entries.

Act June 11, 1906, c. 3074, s. 1, as amended by act May 30, 1908, c. 233, 35 Stat. 554.

This section is amended by act May 30, 1908, c. 233, by striking out the words "except the following counties in the State of California: Inyo, Tulare, Kern, Ventura, Los Angeles, San Bernardino, Orange, Riverside, and San Diego." The names of the counties San Luis Obispo and Santa Barbara are omitted in the amendment.

An appropriation for survey and listing of lands within forest reserves chiefly valuable for agriculture, as required by this act, is made in the agricultural appropriation act for the fiscal year 1913, set forth on p. 182, *post*.

Additional homestead right of entry to former settlers; payment of price of lands required.

SEC. 2. That settlers upon lands chiefly valuable for agriculture within forest reserves on January first, nineteen hundred and six, who have already exercised or lost their homestead privilege, but are otherwise competent to enter lands under the homestead laws, are hereby granted an additional homestead right of entry for the purposes of this Act only, and such settlers must otherwise comply with the provisions of the homestead law, and in addition thereto must pay two dollars and fifty cents per acre for lands entered under the provisions of this section, such payment to be made at the time of making final proof on such lands.

Act June 11, 1906, c. 3074, s. 2, 34 Stat. 234.

Entries in Black Hills Forest Reserve subject to mining laws and laws and regulations relating to waters; limitation of title acquired as to riparian rights.

SEC. 3. That all entries under this Act in the Black Hills Forest Reserve shall be subject to the quartz or lode mining laws of the United States, and the laws and regulations permitting the location, appropriation, and use of the waters within the said forest reserves for mining, irrigation, and other purposes; and no titles acquired to agricultural lands in said Black Hills Forest Reserve under this Act shall vest in the patentee any riparian rights to any stream or streams of flowing water within said reserve; and that such limitation of title shall be expressed in the patents for the lands covered by such entries.

Act June 11, 1906, c. 3074, s. 3, 34 Stat. 234.

Homestead settlements or entries not allowed in certain portions of Black Hills Forest Reserve except to give title to former settlers.

SEC. 4. That no homestead settlements or entries shall be allowed in that portion of the Black Hills Forest Reserve in Lawrence and Pennington counties in South Dakota except to persons occupying lands therein prior to January first, nineteen hundred and six, and the provisions of this Act shall apply to the said counties in said reserve only so far as is necessary to give and perfect title of such settlers or occupants to lands chiefly valuable for agriculture therein occupied or claimed by them prior to the said date, and all homestead entries under this Act in said counties in said reserve shall be described by metes and bounds survey.

Act June 11, 1906, c. 3074, s. 4, 34 Stat. 234.

Certain lands in the Black Hills Forest Reserve, South Dakota, are excepted from the operation of this section by act February 8, 1907, c. 896, and act July 3, 1912, c. 195, set forth below.

Act not to be construed to authorize future settlements on lands within forest reserves, or to impair rights of former bona fide settlers.

SEC. 5. That nothing herein contained shall be held to authorize any future settlement on any lands within forest reserves until such lands have been opened to settlement as provided in this Act, or to in any way impair the legal rights of any bona fide homestead settler who has or shall establish residence upon public lands prior to their inclusion within a forest reserve.

Act June 11, 1906, c. 3074, s. 5, 34 Stat. 234.

ACT AUGUST 10, 1912, c. 284. (37 Stat. 269.)

Lands listed under act June 11, 1906, not to pass from forest reserves until patents issue.

* * * no land listed under the Act of June eleventh, nineteen hundred and six, shall pass from the forest until patent issues; * * *

Act August 10, 1912, c. 284, 37 Stat. 287.

This is a provision of the agricultural appropriation act for the fiscal year 1913, cited above.

ACT FEBRUARY 8, 1907, c. 896. An act excepting certain lands in Pennington County, South Dakota, from the operation of the provisions of section four of an act approved June eleventh, nineteen hundred and six, entitled "An act to provide for the entry of agricultural lands within forest reserves." (34 Stat. 883.)

Certain townships in Black Hills Forest Reserve excepted from provisions restricting homestead settlements or entries therein.

That the following described townships in the Black Hills Forest Reserve, in Pennington County, South Dakota, to wit: Townships one north, one east; two north, one east; one north, two east; two north, two east; one south, one east; two south, one east; one south, two east; and two south, two east, Black Hills meridian, are hereby excepted from the operation of the provisions of section four of an Act entitled "An Act to provide for the entry of agricultural lands within forest reserves," approved June eleventh, nineteen hundred and six. The lands within the said townships to remain subject to all other provisions of said Act.

Act February 8, 1907, c. 896, 34 Stat. 883.

Act June 11, 1906, c. 3074, s. 4, mentioned in this act, is set forth above.

ACT JULY 3, 1912, c. 195. An act excepting certain lands in Lawrence and Pennington Counties, South Dakota, from the operation of the provisions of section four of an act approved June eleventh, nineteen hundred and six, entitled "An act to provide for the entry of agricultural lands within forest reserves." (37 Stat. 188.)

Certain townships in Black Hills Forest Reserve excepted from provisions restricting homestead settlements or entries therein.

That the following-described townships in the Black Hills Forest Reserve, South Dakota, to wit: Township three north, one east, and so much of townships two north, one east, and two north, two east, as are within Lawrence County, and township one north, three east, in Pennington County, Black Hills meridian, are hereby excepted from the operation of the provisions of section four of an Act entitled "An Act to provide for the entry of agricultural lands within forest reserves," approved June eleventh, nineteen hundred and six. The lands within the said townships to remain subject to all other provisions of said Act.

Act July 3, 1912, c. 195, 37 Stat. 188.

Act June 11, 1906, c. 3074, s. 4, mentioned in this act, is set forth on p. 139, *ante*.

ACT MARCH 15, 1906, c. 950. An act to extend the provisions of the homestead laws to certain lands in the Yellowstone Forest Reserve. (34 Stat. 62.)

Homestead laws extended to certain lands in Yellowstone Forest Reserve; commutation provisions not to apply; rights of prior settlers revived.

That the general provisions of the homestead laws of the United States be, and the same are hereby, extended to and over the surveyed lands in townships forty-eight, forty-nine, and fifty, and ranges one hundred and five and one hundred and six, within the Yellowstone Forest Reserve, and the said lands shall be subject to entry ninety days after the passage of this Act, within which ninety-day period the Secretary of Agriculture may set aside such portions of said lands as were not occupied by a bona fide settler January first, nineteen hundred and six, not to exceed in the aggregate one hundred and sixty acres, as may be necessary for forest reserve administrative purposes, which lands so set aside shall not be subject to settlement entry or location during the life of the forest reserve: *Provided*, That the commutation clause of the homestead laws shall not apply to the said lands, and any bona fide settler who made settlement on said lands prior to January first, nineteen hundred and six, and who had prior to that time lost or exercised his homestead right, may enter and perfect title to the lands settled upon by him as though his homestead right had not been lost or exercised, upon the payment of the sum of one dollar and twenty-five cents per acre for the land included in his entry at the time of making final proof.

Act March 15, 1906, c. 950, 34 Stat. 62.

General provisions for opening to homestead entry agricultural lands within forest reserves are contained in act June 11, 1906, c. 3074, set forth on p. 139, *ante*.

ACT MARCH 3, 1911, c. 225. An act providing for the validation of certain homestead entries. (36 Stat. 1084.)

Reinstatement of homestead entries canceled or relinquished because of erroneous allowance after withdrawal of lands for national forest purposes.

That all homestead entries which have been canceled or relinquished, or are invalid solely because of the erroneous allowance of

such entries after the withdrawal of lands for national forest purposes, may be reinstated or allowed to remain intact, but in the case of entries heretofore canceled applications for reinstatement must be filed in the proper local land office prior to July first, nineteen hundred and twelve.

Act March 3, 1911, c. 225, s. 1, 36 Stat. 1084.

Contestants prior to withdrawal of lands for national forest purposes may exercise preference right to enter.

SEC. 2. That in all cases where contests were initiated under the provisions of the Act of May fourteenth, eighteen hundred and eighty, prior to the withdrawal of the land for national forest purposes, the qualified successful contestants may exercise their preference right to enter the land within six months after the passage of this Act.

Act March 3, 1911, c. 225, s. 2, 36 Stat. 1084.

ACT JUNE 3, 1878, c. 150. An act authorizing citizens of Colorado, Nevada and the Territories to fell and remove timber on the public domain for mining and domestic purposes. (20 Stat. 88.)

Timber on mineral lands may be cut for certain purposes.

That all citizens of the United States and other persons, bona fide residents of the State of Colorado, or Nevada, or either of the Territories of New Mexico, Arizona, Utah, Wyoming, Dakota, Idaho, or Montana, and all other mineral districts of the United States, shall be, and are hereby, authorized and permitted to fell and remove, for building, agricultural, mining, or other domestic purposes, any timber or other trees growing or being on the public lands, said lands being mineral, and not subject to entry under existing laws of the United States, except for mineral entry, in either of said States, Territories, or districts of which such citizens or persons may be at the time bona-fide residents, subject to such rules and regulations as the Secretary of the Interior may prescribe for the protection of the timber and of the undergrowth growing upon such lands, and for other purposes: *Provided*, the provisions of this act shall not extend to railroad corporations.

Act June 3, 1878, c. 150, s. 1, 20 Stat. 88.

Registers and receivers to notify Commissioner of General Land Office of unlawful cutting of timber.

SEC. 2. That it shall be the duty of the register and the receiver of any local land-office in whose district any mineral land may be situated to ascertain from time to time whether any timber is being cut or used upon any such lands, except for the purposes authorized by this act, within their respective land districts; and, if so, they shall immediately notify the Commissioner of the General Land Office of that fact; and all necessary expenses incurred in making such proper examinations shall be paid and allowed such register and receiver in making up their next quarterly accounts.

Act June 3, 1878, c. 150, s. 2, 20 Stat. 88.

Penalty for violations of act.

SEC. 3. Any person or persons who shall violate the provisions of this act, or any rules and regulations in pursuance thereof made by

the Secretary of the Interior, shall be deemed guilty of a misdemeanor, and, upon conviction, shall be fined in any sum not exceeding five hundred dollars, and to which may be added imprisonment for any term not exceeding six months.

Act June 3, 1878, c. 150, s. 3, 20 Stat. 89.

ACT AUGUST 4, 1892, c. 375. An act to authorize the entry of lands chiefly valuable for building stone under the placer mining laws. (27 Stat. 348.)

Entry of lands valuable for building stone under laws relating to placer mineral claims; school lands excepted.

That any person authorized to enter lands under the mining laws of the United States may enter lands that are chiefly valuable for building stone under the provisions of the law in relation to placer mineral claims: *Provided*, That lands reserved for the benefit of the public schools or donated to any State shall not be subject to entry under this act.

Act August 4, 1892, c. 375, s. 1, 27 Stat. 348.

The placer mining laws are incorporated in Rev. St. secs. 2329-2333.

Forest reservations not affected by this act.

SEC. 3. That nothing in this act shall be construed to repeal section twenty-four of the act entitled "An act to repeal timber-culture laws, and for other purposes," approved March third, eighteen hundred and ninety-one.

Act August 4, 1892, c. 375, s. 3, 27 Stat. 348.

Act March 3, 1891, c. 561, s. 24, mentioned in this section, is set forth on p. 87, *ante*.

ACT MAY 29, 1908, c. 220. (35 Stat. 465.)

Mining laws extended to certain lands in Montana; act not to apply to Forest Service administration sites.

SEC. 11. That all the provisions of the mining laws of the United States are hereby extended and made applicable to the undisposed-of lands in the Bitter Root Valley, State of Montana, above the mouth of the Lo Lo Fork of the Bitter Root River, designated in the Act of June fifth, eighteen hundred and seventy-two: *Provided*, That all mining locations and entries heretofore made or attempted to be made upon said lands shall be determined by the Department of the Interior as if said lands had been subject to mineral location and entry at the time such locations and entries were made or attempted to be made: *And provided further*, That this Act shall not be applicable to lands withdrawn for administration sites for use of the Forest Service.

Act May 29, 1908, c. 220, s. 11, 35 Stat. 467.

ACT JANUARY 21, 1895, c. 37. (28 Stat. 635.)

Right of way to electric power companies.

SEC. 2. That the Secretary of the Interior be, and hereby is, authorized and empowered, under general regulations to be fixed by him, to permit the use of right of way to the extent of twenty-five feet, together with the use of necessary ground, not exceeding forty acres, upon the public lands and forest reservations of the United States, by any citizen or association of citizens of the United States,

for the purpose of generating, manufacturing, or distributing electric power.

Act January 21, 1895, c. 37, s. 2, 28 Stat. 635, as amended by act May 14, 1896, c. 179, 29 Stat. 120.

The Secretary of Agriculture shall execute all laws affecting public lands reserved as forest reservations except such laws as affect the surveying, prospecting, locating, entering, etc., and patenting of such lands, by the provisions of act February 1, 1905, c. 288, s. 1, set forth on p. 86, *ante*.

ACT FEBRUARY 15, 1901, c. 372. An act relating to rights of way through certain parks, reservations, and other public lands. (31 Stat. 790.)

Rights of way through forest reservations, etc., for electrical plants, poles, and lines for the generation and distribution of electrical power and for telephone and telegraph purposes; for canals, ditches, pipes and pipe lines, flumes, tunnels, etc.; and for water plants, dams, and reservoirs.

That the Secretary of the Interior be, and hereby is, authorized and empowered, under general regulations to be fixed by him, to permit the use of rights of way through the public lands, forest and other reservations of the United States, and the Yosemite, Sequoia, and General Grant national parks, California, for electrical plants, poles, and lines for the generation and distribution of electrical power, and for telephone and telegraph purposes, and for canals, ditches, pipes and pipe lines, flumes, tunnels, or other water conduits, and for water plants, dams, and reservoirs used to promote irrigation or mining or quarrying, or the manufacturing or cutting of timber or lumber, or the supplying of water for domestic, public, or any other beneficial uses to the extent of the ground occupied by such canals, ditches, flumes, tunnels, reservoirs, or other water conduits or water plants, or electrical or other works permitted hereunder, and not to exceed fifty feet on each side of the marginal limits thereof, or not to exceed fifty feet on each side of the center line of such pipes and pipe lines, electrical, telegraph, and telephone lines and poles, by any citizen, association, or corporation of the United States, where it is intended by such to exercise the use permitted hereunder or any one or more of the purposes herein named: *Provided*, That such permits shall be allowed within or through any of said parks or any forest, military, Indian, or other reservation only upon the approval of the chief officer of the department under whose supervision such park or reservation falls and upon a finding by him that the same is not incompatible with the public interest: *Provided further*, That all permits given hereunder for telegraph and telephone purposes shall be subject to the provision of title sixty-five of the Revised Statutes of the United States, and amendments thereto, regulating rights of way for telegraph companies over the public domain: *And provided further*, That any permission given by the Secretary of the Interior under the provisions of this act may be revoked by him or his successor in his discretion, and shall not be held to confer any right, or easement, or interest in, to, or over any public land, reservation, or park.

Act February 15, 1901, c. 372, 31 Stat. 790.

The Secretary of Agriculture shall execute all laws affecting public lands reserved as forest reservations except such laws as affect the surveying, prospecting, locating, entering, etc., and patenting of such lands, by the provisions of act February 1, 1905, c. 288, s. 1, set forth on p. 86, *ante*.

Title 65 of the Revised Statutes, mentioned above, embraces Rev. St. secs. 5263-5269. Rev. St. secs. 5263-5265, 5267, and 5268, are set forth below, and Rev. St. secs. 5266 and 5269, are set forth on p. 382, *post*, under "Telegraphs."

REV. ST. SEC. 5263.

Use of public domain for telegraph lines.

SEC. 5263. Any telegraph company now organized, or which may hereafter be organized, under the laws of any State, shall have the right to construct, maintain, and operate lines of telegraph through and over any portion of the public domain of the United States, over and along any of the military or post roads of the United States which have been or may hereafter be declared such by law, and over, under, or across the navigable streams or waters of the United States; but such lines of telegraph shall be so constructed and maintained as not to obstruct the navigation of such streams and waters, or interfere with the ordinary travel on such military or post roads.

REV. ST. SEC. 5264.

Use of materials from public lands.

SEC. 5264. Any telegraph company organized under the laws of any State shall have the right to take and use from the public lands through which its lines of telegraph may pass, the necessary stone, timber, and other materials for its posts, piers, stations, and other needful uses in the construction, maintenance, and operation of its lines of telegraph, and may pre-empt and use such portion of the unoccupied public lands subject to pre-emption through which their lines of telegraph may be located as may be necessary for their stations, not exceeding forty acres for each station; but such stations shall not be within fifteen miles of each other.

REV. ST. SEC. 5265.

Rights granted not transferable.

SEC. 5265. The rights and privileges granted under the provisions of the act of July twenty-four, eighteen hundred and sixty-six, entitled "An act to aid in the construction of telegraph lines, and to secure to the Government the use of the same for postal, military, and other purposes," or under this Title, shall not be transferred by any company acting thereunder to any other corporation, association, or person.

REV. ST. SEC. 5267.

Government entitled to purchase.

SEC. 5267. The United States may, for postal, military, or other purposes, purchase all the telegraph lines, property, and effects of any or all companies acting under the provisions of the act of July twenty-fourth, eighteen hundred and sixty-six, entitled "An act to aid in the construction of telegraph lines, and to secure to the Government the use of the same for postal, military, and other purposes," or under this Title, at an appraised value, to be ascertained by five competent, disinterested persons, two of whom shall be selected by the Postmaster-General of the United States, two by the company interested, and one by the four so previously selected.

The "Title" above mentioned is Title 65 of the Revised Statutes, embracing Rev. St. secs. 5263-5269. Rev. St. secs. 5263-5265 are set forth above; Rev. St. sec. 5268 is set forth below; and Rev. St. secs. 5266, 5269, are set forth on page 382, *post*, under "Telegraphs."

REV. ST. SEC. 5268.

Acceptance of obligation to be filed.

SEC. 5268. Before any telegraph company shall exercise any of the powers or privileges conferred by law such company shall file their written acceptance with the Postmaster-General of the restrictions and obligations required by law.

ACT MARCH 4, 1911, c. 238. (36 Stat. 1235.)

Rights of way through national forests, etc., for electrical poles and lines for transmission and distribution of electrical power, and for telephone and telegraph purposes.

That the head of the department having jurisdiction over the lands be, and he hereby is, authorized and empowered, under general regulations to be fixed by him, to grant an easement for rights of way, for a period not exceeding fifty years from the date of the issuance of such grant, over, across, and upon the public lands, national forests, and reservations of the United States for electrical poles and lines for the transmission and distribution of electrical power, and for poles and lines for telephone and telegraph purposes, to the extent of twenty feet on each side of the center line of such electrical, telephone and telegraph lines and poles, to any citizen, association, or corporation of the United States, where it is intended by such to exercise the right of way herein granted for any one or more of the purposes herein named: *Provided*, That such right of way shall be allowed within or through any national park, national forest, military, Indian, or any other reservation only upon the approval of the chief officer of the department under whose supervision or control such reservation falls, and upon a finding by him that the same is not incompatible with the public interest: *Provided*, That all or any part of such right of way may be forfeited and annulled by declaration of the head of the department having jurisdiction over the lands for nonuse for a period of two years or for abandonment.

That any citizen, association, or corporation of the United States to whom there has heretofore been issued a permit for any of the purposes specified herein under any existing law, may obtain the benefit of this Act upon the same terms and conditions as shall be required of citizens, associations, or corporations hereafter making application under the provisions of this statute.

Act March 4, 1911, c. 238, 36 Stat. 1253.

These are provisions of the agricultural appropriation act for the fiscal year 1912, cited above.

The Secretary of Agriculture shall execute all laws affecting public lands reserved as forest reservations except such laws as affect the surveying, prospecting, locating, entering, etc., and patenting of such lands, by the provisions of act February 1, 1905, c. 288, s. 1, set forth on p. 86, *ante*.

ACT FEBRUARY 28, 1899, c. 221. An act to authorize the Secretary of the Interior to rent or lease certain portions of forest reserve. (30 Stat. 908.)

Leases of grounds within forest reserves for hotels, sanitariums, etc.

That the Secretary of the Interior be, and hereby is, authorized, under such rules and regulations as he from time to time may make, to rent or lease to responsible persons or corporations applying therefor

suitable spaces and portions of ground near, or adjacent to, mineral, medicinal, or other springs, within any forest reserves established within the United States, or hereafter to be established, and where the public is accustomed or desires to frequent, for health or pleasure, for the purpose of erecting upon such leased ground sanitariums or hotels, to be opened for the reception of the public. And he is further authorized to make such regulations, for the convenience of people visiting such springs, with reference to spaces and locations, for the erection of tents or temporary dwelling houses to be erected or constructed for the use of those visiting such springs for health or pleasure. And the Secretary of the Interior is authorized to prescribe the terms and duration and the compensation to be paid for the privileges granted under the provisions of this Act.

Act February 28, 1899, c. 221, s. 1, 30 Stat. 908.

The Secretary of Agriculture shall execute all laws affecting public lands reserved as forest reservations except such laws as affect the surveying, prospecting, locating, entering, etc., and patenting of such lands, by the provisions of act February 1, 1905, c. 288, s. 1. set forth on p. 86, *ante*.

Disposition of funds from privileges granted.

SEC. 2. All funds arising from the privileges granted hereunder shall be covered into the Treasury of the United States as a special fund, to be expended in the care of public forest reservations.

Act February 28, 1899, c. 221, s. 2, 30 Stat. 908.

ACT FEBRUARY 8, 1905, c. 552. An act authorizing the use of earth, stone, and timber on the public lands and forest reserves of the United States in the construction of works under the national irrigation law. (33 Stat. 706.)

Use of earth, stone, and timber from the forest reserves, etc., for construction of irrigation works.

That in carrying out the provisions of the national irrigation law, approved June seventeenth, nineteen hundred and two, and in constructing works thereunder, the Secretary of the Interior is hereby authorized to use and to permit the use by those engaged in the construction of works under said law, under rules and regulations to be prescribed by him, such earth, stone, and timber from the public lands of the United States as may be required in the construction of such works, and the Secretary of Agriculture is hereby authorized to permit the use of earth, stone, and timber from the forest reserves of the United States for the same purpose, under rules and regulations to be prescribed by him.

Act February 8, 1905, c. 552, 33 Stat. 706.

ACT MARCH 3, 1875, c. 152. An act granting to railroads the right of way through the public lands of the United States. (18 Stat. 482.)

That the right of way through the public lands of the United States is hereby granted to any railroad company duly organized under the laws of any State or Territory, except the District of Columbia, or by the Congress of the United States, which shall have filed with the Secretary of the Interior a copy of its articles of incorporation, and due proofs of its organization under the same, to the extent of one hundred feet on each side of the central line of said road; also the right to take, from the public lands adjacent to the

line of said road, material, earth, stone, and timber necessary for the construction of said railroad; also ground adjacent to such right of way for station-buildings, depots, machine shops, side-tracks, turn-outs, and water-stations, not to exceed in amount twenty acres for each station, to the extent of one station for each ten miles of its road.

Act March 3, 1875, c. 152, s. 1, 18 Stat. 482.

Rights of way of several railroads through canyons, etc.; effect on wagon roads and highways.

SEC. 2. That any railroad company whose right of way, or whose track or road-bed upon such right of way, passes through any canyon, pass or defile, shall not prevent any other railroad company from the use and occupancy of the said canyon, pass, or defile, for the purposes of its road, in common with the road first located, or the crossing of other railroads at grade. And the location of such right of way through any canyon, pass, or defile shall not cause the disuse of any wagon or other public highway now located therein, nor prevent the location through the same of any such wagon road or highway where such road or highway may be necessary for the public accommodation; and where any change in the location of such wagon road is necessary to permit the passage of such railroad through any canyon, pass, or defile, said railroad company shall before entering upon the ground occupied by such wagon road, cause the same to be reconstructed at its own expense in the most favorable location, and in as perfect a manner as the original road: *Provided*, That such expenses shall be equitably divided between any number of railroad companies occupying and using the same canyon, pass, or defile.

Act March 3, 1875, c. 152, s. 2, 18 Stat. 482.

Condemnation of private lands and claims.

SEC. 3. That the legislature of the proper Territory may provide for the manner in which private lands and possessory claims on the public lands of the United States may be condemned; and where such provisions shall not have been made, such condemnation may be made in accordance with section three of the act entitled "An act to aid in the construction of a railroad and telegraph line from the Missouri River to the Pacific Ocean, and to secure to the Government the use of the same for postal, military, and other purposes, approved July first, eighteen hundred and sixty-two," approved July second, eighteen hundred and sixty-four.

Act March 3, 1875, c. 152, s. 3, 18 Stat. 482.

Profile of road to be filed; forfeiture of rights granted.

SEC. 4. That any railroad-company desiring to secure the benefits of this act, shall, within twelve months after the location of any section of twenty miles of its road, if the same be upon surveyed lands, and, if upon unsurveyed lands, within twelve months after the survey thereof by the United States, file with the register of the land office for the district where such land is located a profile of its road; and upon approval thereof by the Secretary of the Interior the same shall be noted upon the plats in said office; and thereafter all such lands over which such right of way shall pass shall be disposed of subject to such right of way: *Provided*, That if any section of said road shall not be completed within five years after the location of said section, the

rights herein granted shall be forfeited as to any such uncompleted section of said road.

Act March 3, 1875, c. 152, s. 4, 18 Stat. 483.

This section is amended by act June 26, 1906, c. 3550, and act February 25, 1909, c. 191, set forth below.

Reserved lands excepted from act.

SEC. 5. That this act shall not apply to any lands within the limits of any military, park, or Indian reservation, or other lands specially reserved from sale, unless such right of way shall be provided for by treaty-stipulation or by act of Congress heretofore passed.

Act March 3, 1875, c. 152, s. 5, 18 Stat. 483.

Right to alter, amend, or repeal act, reserved.

SEC. 6. That Congress hereby reserves the right at any time to alter, amend, or repeal this act, or any part thereof.

Act March 3, 1875, c. 152, s. 6, 18 Stat. 483.

ACT JUNE 26, 1906, c. 3550. An act to declare and enforce the forfeiture provided by section four of the act of Congress approved March third, eighteen hundred and seventy-five, entitled "An act granting to railroads the right of way through the public lands of the United States." (34 Stat. 482.)

Forfeiture of rights granted to railroads where road or section thereof has not been constructed in five years after location.

That each and every grant of right of way and station grounds heretofore made to any railroad corporation under the Act of Congress approved March third, eighteen hundred and seventy-five, entitled "An Act granting to railroads the right of way through the public lands of the United States," where such railroad has not been constructed and the period of five years next following the location of said road, or any section thereof, has now expired, shall be, and hereby is, declared forfeited to the United States, to the extent of any portion of such located line now remaining unconstructed, and the United States hereby resumes the full title to the lands covered thereby freed and discharged from such easement, and the forfeiture hereby declared shall, without need of further assurance or conveyance, inure to the benefit of any owner or owners of land heretofore conveyed by the United States subject to any such grant of right of way or station grounds: *Provided*, That in any case under this Act where construction of the railroad is progressing in good faith at the date of the approval of this Act the forfeiture declared in this Act shall not take effect as to such line of railroad.

Act June 26, 1906, c. 3550, 34 Stat. 482.

Act March 3, 1875, c. 152, s. 4, mentioned in this act, is set forth above.

Subsequent provisions similar to those of this act are contained in act February 25, 1909, c. 191, set forth below.

ACT FEBRUARY 25, 1909, c. 191. An act to declare and enforce the forfeiture provided by section four of the act of Congress approved March third, eighteen hundred and seventy-five, entitled "An act granting to railroads the right of way through the public lands of the United States." (35 Stat. 647.)

Forfeiture of rights granted to railroads where road or section thereof has not been constructed in five years after location.

That each and every grant of right of way and station grounds heretofore made to any railroad corporation under the Act of Con-

gress approved March third, eighteen hundred and seventy-five, entitled "An Act granting to railroads the right of way through the public lands of the United States," where such railroad has not been constructed and the period of five years next following the location of said road, or any section thereof, has now expired, shall be, and hereby is, declared forfeited to the United States, to the extent of any portion of such located line now remaining unconstructed, and the United States hereby resumes the full title to the lands covered thereby free and discharged from such easement, and the forfeiture hereby declared shall, without need of further assurance or conveyance, inure to the benefit of any owner or owners of land heretofore conveyed by the United States subject to any such grant of right of way or station grounds: *Provided*, That no right of way on which construction is progressing in good faith at the time of the passage of this Act shall be in any wise affected, validated or invalidated, by the provisions of this Act.

Act February 25, 1909, c. 191, 35 Stat. 647.

Act March 3, 1875, c. 152, mentioned in this act, is set forth above.

ACT MARCH 3, 1899, c. 427. (30 Stat. 1214.)

Right of way over forest reserves for wagon roads, railroads, etc.

That in the form provided by existing law the Secretary of the Interior may file and approve surveys and plats of any right of way for a wagon road, railroad, or other highway over and across any forest reservation or reservoir site when in his judgment the public interests will not be injuriously affected thereby.

Act March 3, 1899, c. 427, s. 1, 30 Stat. 1233.

This is a provision of the deficiency appropriation act for the fiscal year 1899, cited above.

ACT FEBRUARY 1, 1905, c. 288. (33 Stat. 628.)

Rights of way within forest reserves for dams, reservoirs, water plants, ditches, flumes, pipes, tunnels, and canals, for municipal and mining purposes and for milling and reduction of ores.

SEC. 4. That rights of way for the construction and maintenance of dams, reservoirs, water plants, ditches, flumes, pipes, tunnels, and canals, within and across the forest reserves of the United States are hereby granted to citizens and corporations of the United States for municipal or mining purposes, and for the purposes of the milling and reduction of ores, during the period of their beneficial use, under such rules and regulations as may be prescribed by the Secretary of the Interior, and subject to the laws of the State or Territory in which said reserves are respectively situated.

Act February 1, 1905, c. 288, s. 4, 33 Stat. 628.

This section is part of "An act providing for the transfer of forest reserves from the Department of the Interior to the Department of Agriculture," cited above.

ACT MARCH 3, 1891, c. 561. (26 Stat. 1095.)

Right of way through public lands and reservations to canal and ditch companies for irrigation purposes; right to take material, earth, and stone for construction.

SEC. 18. That the right of way through the public lands and reservations of the United States is hereby granted to any canal or ditch

company formed for the purpose of irrigation and duly organized under the laws of any State or Territory, which shall have filed, or may hereafter file, with the Secretary of the Interior a copy of its articles of incorporation, and due proofs of its organization under the same, to the extent of the ground occupied by the water of the reservoir and of the canal and its laterals, and fifty feet on each side of the marginal limits thereof; also the right to take, from the public lands adjacent to the line of the canal or ditch, material, earth, and stone necessary for the construction of such canal or ditch: *Provided*, That no such right of way shall be so located as to interfere with the proper occupation by the Government of any such reservation, and all maps of location shall be subject to the approval of the Department of the Government having jurisdiction of such reservation, and the privilege herein granted shall not be construed to interfere with the control of water for irrigation and other purposes under authority of the respective States or Territories.

Act March 3, 1891, c. 561, s. 18, 26 Stat. 1101.

Maps to be filed; approval thereof; damages for injuries to possessions of settlers.

SEC. 19. That any canal or ditch company desiring to secure the benefits of this act shall, within twelve months after the location of ten miles of its canal, if the same be upon surveyed lands, and if upon unsurveyed lands, within twelve months after the survey thereof by the United States, file with the register of the land office for the district where such land is located a map of its canal or ditch and reservoir; and upon the approval thereof by the Secretary of the Interior the same shall be noted upon the plats in said office, and thereafter all such lands over which such rights of way shall pass shall be disposed of subject to such right of way. Whenever any person or corporation, in the construction of any canal, ditch, or reservoir, injures or damages the possession of any settler on the public domain, the party committing such injury or damage shall be liable to the party injured for such injury or damage.

Act March 3, 1891, c. 561, s. 20, 26 Stat. 1102.

Act to apply to existing or future canals, ditches, or reservoirs; forfeiture of rights granted upon non-completion of any section of canal or ditch within five years after location.

SEC. 20. That the provisions of this act shall apply to all canals, ditches, or reservoirs, heretofore or hereafter constructed, whether constructed by corporations, individuals, or association of individuals, on the filing of the certificates and maps herein provided for. If such ditch, canal, or reservoir, has been or shall be constructed by an individual or association of individuals, it shall be sufficient for such individual or association of individuals to file with the Secretary of the Interior, and with the register of the land office where said land is located, a map of the line of such canal, ditch, or reservoir, as in case of a corporation, with the name of the individual owner or owners thereof, together with the articles of association, if any there be. Plats heretofore filed shall have the benefits of this act from the date of their filing, as though filed under it: *Provided*, That if any section of said canal or ditch shall not be completed within five years

after the location of said section, the rights herein granted shall be forfeited as to any uncompleted section of said canal, ditch, or reservoir, to the extent that the same is not completed at the date of the forfeiture.

Act March 3, 1891, c. 561, s. 20, 26 Stat. 1102.

Use of right of way for canal or ditch only.

SEC. 21. That nothing in this act shall authorize such canal or ditch company to occupy such right of way except for the purpose of said canal or ditch, and then only so far as may be necessary for the construction, maintenance, and care of said canal or ditch.

Act March 3, 1891, c. 561, s. 21, 26 Stat. 1102.

The above sections are amended by act May 11, 1898, c. 292, s. 2, set forth below.

ACT MAY 11, 1898, c. 292. (30 Stat. 404.)

Rights of way for ditches, canals, or reservoirs for public purposes, and for water transportation, for domestic purposes, or for the development of power.

SEC. 2. That the rights of way for ditches, canals, or reservoirs heretofore or hereafter approved under the provisions of sections eighteen, nineteen, twenty, and twenty-one of the Act entitled "An Act to repeal timber-culture laws, and for other purposes," approved March third, eighteen hundred and ninety-one, may be used for purposes of a public nature; and said rights of way may be used for purposes of water transportation, for domestic purposes, or for the development of power, as subsidiary to the main purpose of irrigation.

Act May 11, 1898, c. 292, s. 2, 30 Stat. 404.

This is a part of an act entitled "An act to amend an act to permit the use of the right of way through public lands for tramroads, canals, and reservoirs, and for other purposes," cited above.

Act March 3, 1891, c. 561, ss. 18-21, mentioned in this section, is set forth above.

ACT JUNE 27, 1898, c. 501. An act granting right of way through the Pikes Peak Timber Land Reserve and the public lands to the Cripple Creek District Railway Company. (30 Stat. 493.)

Right of way through Pikes Peak Timber Land Reserve granted to Cripple Creek District Railway Co. for a railway.

That the Cripple Creek District Railway Company, a corporation created and existing under the laws of the State of Colorado, be, and it hereby is, authorized to construct and maintain a railway over and through the Pikes Peak Timber Land Reserve (heretofore reserved from entry or settlement and set apart as a public reservation by Executive order), said railway to enter said Pikes Peak Timber Land Reserve at such a point on the eastern or northern boundary thereof in El Paso County, Colorado, as may be found to be the most feasible for the route of said railway, running in a westerly direction from Colorado Springs, Colorado, thence proceeding by the most practicable route through the reserve to the western boundary thereof; also, to proceed by such side tracks, extensions, switches, and spurs as may be necessary to reach any groups of mines in said forest re-

serve, all in said El Paso County; and the said railway company is hereby also granted right of way through the public lands to the town of Cripple Creek, in the said State of Colorado; said right of way being granted subject to the rules and restrictions and carrying all the rights and privileges of an Act entitled "An Act granting to railroads the right of way through the public lands of the United States," approved March third, eighteen hundred and seventy-five, said Act being hereby made applicable to the right of way hereby granted: *Provided*, That no timber shall be cut by said railroad company for any purpose outside of the rights of way herein granted.

Act June 27, 1898, c. 501, 30 Stat. 493.

Act March 3, 1875, c. 152, mentioned in this act, is set forth on p. 146, *ante*.

ACT JULY 8, 1898, c. 645. An act granting right of way through the Pikes Peak Timber Land Reserve and the public lands to the Cripple Creek Short-Line Railway Company. (30 Stat. 729.)

Right of way through Pikes Peak Timber Land Reserve granted to Cripple Creek Short-Line Railway Co. for a railway.

That the Cripple Creek Short-Line Railway Company, a corporation created and existing under the laws of the State of Colorado, be, and it hereby is, authorized to construct and maintain a railway over and through the Pikes Peak Timber Land Reserve (heretofore reserved from entry or settlement and set apart as a public reservation by Executive order), said railway to enter said Pikes Peak Timber Land Reserve at such a point on the eastern or northern boundary thereof in El Paso County, Colorado, as may be found to be the most feasible for the route of said railway, running in a westerly direction from Colorado Springs, Colorado, thence proceeding by the most practicable route through the reserve to the western boundary thereof; also, to proceed by such side tracks, extensions, switches, and spurs as may be necessary to reach any groups of mines in said forest reserve, all in said El Paso County; and the said railroad company is hereby also granted right of way through the public lands to the town of Cripple Creek, in the said State of Colorado; said right of way being granted subject to the rules and restrictions and carrying all the rights and privileges of an Act entitled "An Act granting to railroads the right of way through the public lands of the United States," approved March third, eighteen hundred and seventy-five, said Act being hereby made applicable to the right of way hereby granted: *Provided*, That no timber shall be cut by said railroad company for any purpose outside of the rights of way herein granted: *And provided further*, That the right of way herein granted shall not interfere with the right of way on Government land through the Pikes Peak Timber-land Reserve, granted by Act of Congress, entitled: "An Act granting right of way through the Pikes Peak Timber-land Reserve and the public lands to the Cripple Creek District Railway Company," approved June twenty-seventh, eighteen hundred and ninety-eight.

Act July 8, 1898, c. 645, 30 Stat. 729.

Act March 3, 1875, c. 152, mentioned in this act, is set forth on p. 146, *ante*.

Act June 27, 1898, c. 501, also mentioned in this act, is set forth above.

ACT MAY 18, 1898, c. 343. An act granting the Santa Fe and Grand Canyon Railroad Company right of way for railroad purposes through the Grand Canyon Forest Reserve in northern Arizona. (30 Stat. 418.)

Right of way through Grand Canyon Forest Reserve granted to Santa Fe & Grand Canyon Railroad Co. for a railroad.

That the Santa Fe and Grand Canyon Railroad Company, a corporation created and existing under the laws of the Territory of Arizona, is authorized to construct and maintain a railroad over and through the Grand Canyon Forest Reserve (heretofore reserved from entry or settlement and set apart as a public reservation by Benjamin Harrison, President of the United States, by proclamation of date the twentieth day of February, eighteen hundred and ninety-three), said railroad to enter the said Grand Canyon Forest Reserve at such a point on the southern boundary of said reserve in Coconino County, Arizona, as may be found to be the most feasible for the route of said railroad, running in a northerly direction from Williams, Arizona; thence proceeding by the most practicable route through a point at or near Lombard and the Bright Angel trail to the Indian Gardens, and from said Bright Angel trail in an easterly direction to the Little Colorado River; also to proceed by such side tracks, extensions, switches, and spurs as may be necessary to reach the various groups of mines in said forest reserve, all in said Coconino County; said right of way being granted subject to the rules and restrictions and carrying all the rights and privileges of an Act entitled "An Act granting to railroads the right of way through the public lands of the United States," approved March third, eighteen hundred and seventy-five, said Act being hereby made applicable to the right of way hereby granted: *Provided*, That no timber shall be cut by said railroad company for any purpose outside of the rights of way herein granted.

Act May 18, 1898, c. 343, 30 Stat. 418.

Act March 3, 1875, c. 152, mentioned in this act, is set forth on p. 146, *ante*.

ACT JANUARY 10, 1899, c. 44. An act granting the Saginaw Southern Railroad Company a right of way for railroad purposes through the San Francisco Mountains Forest Reserve. (30 Stat. 783.)

Right of way through San Francisco Mountains Forest Reserve granted to Saginaw Southern Railroad Co. for a railroad.

That the Saginaw Southern Railroad Company, a corporation created and existing under the laws of the Territory of Arizona, is authorized to construct and maintain a railroad over and through the San Francisco Mountains Forest Reserve (heretofore reserved from entry and settlement and set apart as a public reserve by William McKinley, President of the United States, by proclamation dated the seventeenth day of August, eighteen hundred and ninety-eight). Said railroad to be constructed upon and across the said San Francisco Mountains Forest Reserve from a point on the line of the Santa Fe Pacific Railroad Company at the town of Williams, in the county of Coconino, Territory of Arizona, thence in a southerly direction by the most practical route to the town of Jerome, in the county of Yavapai, Territory of Arizona; also to construct and maintain such side tracks, extensions, switches, and spurs as may be necessary to the convenient construction and maintenance of said railroad in the said counties of Coconino and Yavapai; said right of way being

granted subject to the rules and restrictions and carrying all the rights and privileges of an Act entitled "An Act granting to railroads the right of way through the public lands of the United States," approved March third, eighteen hundred and seventy-five, said Act being hereby made applicable to the right of way hereby granted: *Provided*, That no timber shall be cut by said railroad company for any purpose outside of the right of way herein granted.

Act January 10, 1899, c. 44, 30 Stat. 783.

Act March 3, 1875, c. 152, mentioned in this act, is set forth on p. 146, *ante*.

ACT FEBRUARY 28, 1899, c. 223. An act to grant to the Pasadena and Mount Wilson Railway Company right of way and certain lands for railroad purposes through the San Gabriel Forest Reserve. (30 Stat. 910.)

Right of way through San Gabriel Forest Reserve granted to Pasadena & Mount Wilson Railway Co. for a railway.

That there is hereby granted to the Pasadena and Mount Wilson Railway Company, a corporation organized and existing under the laws of the State of California, and to its successors and assigns, authority to construct, maintain, and operate a railway for a distance of nine miles, more or less, over and through the San Gabriel Forest Reserve (heretofore reserved from entry and settlement and set apart as a public reservation by Benjamin Harrison, President of the United States, by proclamation of date the twentieth day of December, anno Domini eighteen hundred and ninety-two), from the place in said forest reserve known as Rubio to the summit of the mountain known as Mount Lowe, in the Sierra Madre Mountains, in the county of Los Angeles and State of California, the course of said railway to be the same as that of the railroad now operated by said railway company from Rubio aforesaid to Alpine Tavern, the present terminus of said railroad, and from thence to the summit of said Mount Lowe, by the most practicable route; said right of way being hereby granted to said Pasadena and Mount Wilson Railway Company, but subject to the rights, privileges, rules, and restrictions of an Act entitled "An Act granting to railroads the right of way through the public lands of the United States," approved March third, anno Domini eighteen hundred and seventy-five, said act being hereby made applicable to the right of way hereby granted: *Provided*, That no timber shall be cut by said railway company for any purpose outside of the right of way herein granted: *And provided further*, That said company shall give bond as provided by the regulations of the Secretary of the Interior prescribed under the law relating to forest reserves.

Act February 28, 1899, c. 223, s. 1, 30 Stat. 910.

Act March 3, 1875, c. 152, mentioned in this section, is set forth on p. 146, *ante*.

Sale to Pasadena & Mount Wilson Railway Co. of additional land for stations, hotels, observatories, seminaries, etc.

SEC. 2. That in addition to such of the public ground as said railway company will be entitled to take, under and in accordance with the provisions of the said Act entitled "An Act granting to railroads the right of way through the public lands of the United States," approved March third, anno Domini eighteen hundred and seventy-five, for station buildings, depots, machine shops, side tracks, turn-outs, and water stations, the Secretary of the Interior is hereby

authorized to sell, at the rate of one dollar and twenty-five cents per acre, to the said Pasadena and Mount Wilson Railway Company, its successors and assigns, for stations, hotels, astronomical observatories, seminaries of learning, and such other buildings and purposes as may be required in connection with said railway line, the following-described parcels of land along said right of way, to wit: The unsurveyed land described as the west half of the northwest quarter of the northwest quarter of section two, when regularly protracted, in township one north, range twelve west, San Bernardino meridian, containing twenty acres, more or less.

Also the tract or parcel of land described as follows, to wit: Beginning at a point in the easterly line of the two-hundred-foot right of way of the Pasadena and Mount Wilson Railway Company, which point is north twenty-seven degrees thirty minutes west nine hundred feet from the point where said right-of-way line crosses the north line of section three, township one north, range twelve west; running thence north sixty-two degrees forty minutes east five hundred feet; thence north twenty-seven degrees thirty minutes west one thousand eight hundred and fifty feet; thence west three hundred and fifty feet, more or less, to the easterly line of the right of way afore-said; thence southeasterly along said right of way to the place of beginning, containing twenty acres, more or less.

Also the unsurveyed lands described as the west half of the west half of the southeast quarter and the east half of the east half of the southwest quarter of section twenty-six, township two north, range twelve west, San Bernardino meridian, when regularly protracted, containing eighty acres, more or less.

Also a tract of land consisting of forty acres at the terminus of said right of way at Mount Lowe: *Provided*, That all minerals, including coal, in all of said right of way and lands hereby granted are reserved to the United States.

Act February 28, 1899, c. 223, s. 2, 30 Stat. 910.

Act March 3, 1875, c. 152, mentioned in this section, is set forth on p. 146, *ante*.

Right of way and lands granted for use of Pasadena & Mount Wilson Railway Co. only, and to vest in successors.

SEC. 3. That the said right of way and lands for stations, hotels, astronomical observatories, seminaries of learning, and other purposes granted hereby are intended for the use of said Pasadena and Mount Wilson Railway Company, its successors and assigns, and in case of the sale of said Pasadena and Mount Wilson Railway and its appurtenances by act of the corporation or under decree of court, all of the rights and benefits hereby granted shall vest in the owner or owners for the time being of said railway line and appurtenances.

Act February 28, 1899, c. 223, s. 3, 30 Stat. 911.

ACT FEBRUARY 25, 1903, c. 757. An act granting the Central Arizona Railway Company a right of way for railroad purposes through the San Francisco Mountains Forest Reserve, in the Territory of Arizona. (32 Stat. 907.)

Right of way through San Francisco Mountains Forest Reserve granted to Central Arizona Railway Co. for a railroad.

That upon the conditions herein named the Central Arizona Railway Company, a corporation existing under the laws of the Territory of Arizona, is hereby granted a right of way, conformably to the

Act entitled "An Act granting to railroads a right of way through the public lands of the United States," approved March third, eighteen hundred and seventy-five, and the existing regulations adopted thereunder, over and through the San Francisco Mountains Forest Reserve, in the Territory of Arizona, for a line of railroad from a point at or near Flagstaff, in the county of Coconino, Territory of Arizona, in a southwesterly direction by the most practicable route to the town of Jerome, in the county of Yavapai, Territory of Arizona, and thence in a southeasterly direction to the town of Globe, in the county of Gila, Territory of Arizona, with the right to construct and maintain all necessary side tracks, extensions, switches, spurs, and water stations: *Provided*, That as a condition to obtaining such right of way the said company shall be required to agree, in writing, to conform to such further regulations as may be prescribed by the Secretary of the Interior for the purpose of protecting the said forest reserve and conserving the purposes for which the reserve was established and is maintained; but said company shall not be authorized to take or cut any timber within the limits of said forest reserve outside of its said right of way.

Act February 25, 1903, c. 757, 32 Stat. 907.

Act March 3, 1875, c. 152, mentioned in this act, is set forth on p. 146, *ante*.

ACT JUNE 6, 1900, c. 794. An act to grant right of way over Government lands for a pipe line for the conveyance of water to Flagstaff, Arizona. (31 Stat. 657.)

Right of way over certain lands in San Francisco Forest Reserve granted to Flagstaff, Ariz., for a pipe line.

That a right of way for a pipe line through sections twenty-six, thirty-six, township twenty-three north; sections two, twelve, fourteen, twenty-two, and twenty-eight, township twenty-two north, and sections four and sixteen, township twenty-one north, all in range seven east, Gila and Salt River meridian, in the San Francisco Forest Reserve, in the county of Coconino and Territory of Arizona, is hereby granted to the town of Flagstaff, a municipal corporation in said county and Territory, to the extent of the ground occupied by said pipe line and twenty-five feet on each side of the center line of the same.

Also the right to take from the lands adjacent to the lands hereby granted material, earth, stone, and timber necessary for the construction, maintenance, repair, and control of said pipe line.

Act June 6, 1900, c. 794, s. 1, 31 Stat. 657.

Pipe line to be exclusively for use of Flagstaff, Ariz.

SEC. 2. That said pipe line when constructed shall be maintained and controlled exclusively for the use and benefit of the said town of Flagstaff by the municipal authorities thereof, and for the purpose only of conveying water through said pipe line to said town for its exclusive use and benefit.

Act June 6, 1900, c. 794, s. 2, 31 Stat. 657.

Time of taking effect of act.

SEC. 3. That this Act shall take effect and be in force from and after its passage.

Act June 6, 1900, c. 794, s. 3, 31 Stat. 657.

ACT JUNE 30, 1906, c. 3926. An act authorizing and directing the Secretary of the Interior to sell to the city of Los Angeles, California, certain public lands in California; and granting rights in, over, and through the Sierra Forest Reserve, the Santa Barbara Forest Reserve, and the San Gabriel Timber Land Reserve, California, to the city of Los Angeles, California. (34 Stat. 801.)

Rights of way through, and lands in, Sierra Forest Reserve, Santa Barbara Forest Reserve, and San Gabriel Timber Land Reserve for canals, pipes and pipe lines, flumes, tunnels, and conduits for water-supply plant, and for power and electric plants, poles and lines, and for power houses, dams, reservoirs, etc.

That there is hereby granted to the city of Los Angeles, California, a municipal corporation of the State of California, all necessary rights of way, not to exceed two hundred and fifty feet in width, over and through the public lands of the United States in the counties of Inyo, Kern, and Los Angeles, State of California, and over and through the Sierra and Santa Barbara forest reserves and the San Gabriel Timber Land Reserve, in said State, for the purpose of constructing, operating, and maintaining canals, ditches, pipes and pipe lines, flumes, tunnels, and conduits for conveying water to the city of Los Angeles, and for the purpose of constructing, operating, and maintaining power and electric plants, poles and lines for the generation and distribution of electric energy, together with such lands as the Secretary of the Interior may deem to be actually necessary for power houses, diverting and storage dams and reservoirs, and necessary buildings and structures to be used in connection with the construction, operation, and maintainance of said water, power, and electric plants, whenever said city shall have filed, as hereinafter provided, and the same shall have been approved by the Secretary of the Interior, a map or maps showing the boundaries, locations, and extent of said proposed rights of way for the purposes hereinabove set forth.

Act June 30, 1906, c. 3926, s. 1, 34 Stat. 801.

Maps to be filed.

SEC. 2. That within one year after the passage of this Act the city of Los Angeles shall file with the registers of the United States Land offices in the districts where the lands traversed by said rights of way are located, a map or maps showing the boundaries, locations, and extent of said proposed rights of way, for the purposes stated in section one of this Act; but no construction work shall be commenced on said land until said map or maps have been filed as herein provided and approved by the Secretary of the Interior: *Provided, however,* That any changes of location of said rights of way may be made by said city of Los Angeles, within two years after the filing of said map or maps, by filing such additional map or maps as may be necessary to show such changes of location, said additional map or maps to be filed in the same manner as the original map or maps; and the approval of the Secretary of the Interior of said map or maps showing changes of location of said rights of way shall operate as an abandonment by the city of Los Angeles to the extent of such change or changes, of the rights of way indicated on the original maps: *And provided further,* That any rights inuring to the city of Los Angeles under this Act shall, on the approval of the map or maps referred to herein by the Secretary of the Interior, relate back

to the date of the filing of said map or maps with the register of the United States land office as provided herein.

Act June 30, 1906, c. 3926, s. 2, 34 Stat. 801.

Effect of rights of way granted on existing homestead, mining, etc., claims, and prior rights of way.

SEC. 3. That the rights of way hereby granted shall not be effective over any land upon which homestead, mining, or other existing valid claims shall have been filed or made until the city of Los Angeles shall have procured proper relinquishments of all such entries and claims, or acquired title by due process of law and just compensation paid to said entry men or claimants and caused proper evidence of such fact to be filed with the Secretary of the Interior: *Provided, however,* That this Act shall not apply to any lands embraced in rights of way heretofore approved under any Act of Congress, nor affect the adjudication of any pending applications for rights of way by the owner or owners of existing water rights, and that no private right, title, interest, or claim of any person, persons, or corporation, in or to any of the lands traversed by or embraced in said right of way shall be interfered with or abridged, except with the consent of the owner or owners or claimant or claimants thereof, or by due process of law, and just compensation paid to such owner or claimant.

Act June 30, 1906, c. 3926, s. 3, 34 Stat. 801.

Rights granted subject to forest reserve regulations; limitation of use of timber; construction, etc., of bridges and fences; removal of débris, etc.; free use of wagon roads; free use to Forest Service of telephones, telegraphs, and electric railways; administration of rights of way by Forest Service.

SEC. 4. That the city of Los Angeles shall conform to all regulations adopted and prescribed by the Secretary of Agriculture governing the forest reserves, and shall not take, cut, or destroy any timber within the forest reserves, except such as may be actually necessary to remove to construct its power plants and structures, poles and flumes, storage dams and reservoirs, and it shall pay to the Forest Service of the Department of Agriculture the full value of all timber and wood cut, used, or destroyed on any of the rights of way and lands within forest reserves hereby granted: *Provided further,* That the city shall construct and maintain in good repair bridges or other practicable crossings over its rights of way within the forest reserves when and where directed in writing by the Forester of the United States Department of Agriculture, and elsewhere on public lands along the line of said works as required by the Secretary of the Interior; and said grantee shall, as said waterworks are completed, if directed by the Secretary of the Interior, construct and maintain along each side of said right of way a lawful fence as defined by the laws of the State of California, with such lanes or crossings for domestic animals as the aforesaid officers shall require: *Provided further,* That the city of Los Angeles shall clear its rights of way within forest reserves of any débris or inflammable material as directed by the Forester of the United States Department of Agriculture: *Provided further,* That the said city shall allow any wagon road which it may construct within forest reserves to be freely used by forest officers and the officers of the Interior Department and by

the public, and shall allow to the Forest Service of the United States Department of Agriculture and to the officers of the Interior Department, for official business only, the free use of any telephones, telegraphs, or electric railroads it may construct and maintain within the forest reserves or on the public lands, together with the right to connect with any such telephone lines private telephone wires for the exclusive use of said Forest Service or of the Interior Department: *And provided further*, That the Forest Service may, within forest reserves, protect, use, and administer said land and resources within said rights of way under forest-reserve laws and regulations, but in so doing must not interfere with the full enjoyments of the right of way by the city of Los Angeles: *And provided further*, That in the event that the Secretary of the Interior shall abandon the project known as the Owens River project for the irrigation of lands in Inyo County, California, under the Act of June seventeenth, nineteen hundred and two, the city of Los Angeles, in said State, is to pay to the Secretary of the Interior, for the account of the reclamation fund established by said Act, the amount expended for preliminary surveys, examinations, and river measurements, not exceeding fourteen thousand dollars, and in consideration of said payment the said city of Los Angeles is to have the benefit of the use of the maps and field notes resulting from said surveys, examinations, and river measurements, and the preference right to acquire at any time within three years from the approval of this Act any lands now reserved by the United States under the terms of said reclamation Act in connection with said project, necessary for storage or right of way purposes, upon filing with the register and receiver of the land office in the land district where any such lands sought to be acquired are situated a map showing the lands desired to be acquired, and upon the approval of said map or maps by the Secretary of the Interior and upon the payment of one dollar and twenty-five cents per acre to the receiver of said land office title to said land so reserved and filed on shall vest in said city of Los Angeles, and such title shall be and remain in said city only for the purposes aforesaid, and shall revert to the United States in the event of the abandonment thereof for the purposes aforesaid: *Provided, however*, That the terms of this Act shall not apply to any lands upon Bishop Creek or its branches in said county of Inyo.

Act June 30, 1906, c. 3926, s. 4, 34 Stat. 802.

Lands traversed by rights of way granted to be subject to easements; forfeiture of rights granted if construction has not begun within five years, or upon cessation for three years.

SEC. 5. That all lands over which the rights of way mentioned in this Act shall pass shall be disposed of subject to such easements: *Provided, however*, That if construction of said waterworks shall not have been begun in good faith within five years from the date of approval of this Act, or if after such period of five years there shall be a cessation of such construction for a period of three consecutive years, then all rights hereunder shall be forfeited to the United States.

Act June 30, 1906, c. 3926, s. 5, 34 Stat. 803.

Sale or letting right to water restricted.

SEC. 6. That the city of Los Angeles is prohibited from ever selling or letting to any corporation or individual, except a municipality, the

right for such corporation or individual to sell or sublet the water sold or given to it or him by the city.

Act June 30, 1906, c. 3926, s. 6, 34 Stat. 803.

Amendment or repeal of act.

SEC. 7. That the right to amend, alter, or repeal this Act at any time is hereby reserved.

Act June 30, 1906, c. 3926, s. 7, 34 Stat. 803.

ACT MARCH 1, 1907, c. 2288. An act granting to the city of Durango, in the State of Colorado, certain lands therein described for water reservoirs. (34 Stat. 1053.)

Certain lands within San Juan Forest Reserve granted to Durango, Colo., for water reservoirs; payment; control by Forest Service; sale of certain timber; fencing.

That the following-described tract of land situate in suspended townships thirty-eight north, range six west, and thirty-eight north, range seven west, New Mexico principal meridian, in La Plata County, Colorado, within the San Juan Forest Reserve, to wit: Beginning at corner numbered one, at the junction of Missouri Gulch with the Florida River, running thence north twenty degrees and seven minutes east four thousand nine hundred feet to station numbered two; thence north seventy-seven degrees and two minutes east one thousand and sixty feet to station numbered three; thence north eight degrees and twenty-four minutes east two thousand four hundred feet to station numbered four; thence north seven degrees and twenty-eight minutes west four thousand six hundred feet to station numbered five; thence north ten degrees and twenty-three minutes east five thousand four hundred feet to station numbered six; whence corner numbered one, reservoir numbered three, or Lake Lily, bears south fifty degrees and seven minutes east one thousand two hundred feet; from said corner numbered one, Lake Lily, the monument on Mount Valois bears south twenty-three degrees and ten minutes east four thousand seven hundred and ninety-two and six-tenths feet; United States location monument Tempest bears south thirty-one minutes east two thousand eight hundred and ninety-six feet; thence from station numbered six, aforesaid, north eighty-seven degrees and thirty-one minutes east one thousand five hundred and fifty feet to station numbered seven; thence south thirty-eight degrees and thirty-seven minutes east three thousand three hundred feet to station numbered eight; thence south eighty-four degrees and thirty minutes east two thousand seven hundred feet to station numbered nine; thence south thirty-three minutes east four thousand feet to station numbered ten; thence south thirty degrees and twenty-four minutes east two thousand five hundred feet to station numbered eleven; thence south seventy-seven degrees and twenty-six minutes east three thousand two hundred feet to station numbered twelve; thence south forty-three degrees and fifty-one minutes east one thousand seven hundred and fifty feet to station numbered thirteen; thence south five degrees and fifty-eight minutes west two thousand two hundred and fifty feet to station numbered fourteen; thence south forty-four degrees and seventeen minutes west two thousand feet to station numbered fifteen; thence south seventy-seven degrees

and thirty-one minutes west four thousand eight hundred feet to station numbered sixteen; thence south fifty-four degrees and forty-five minutes west three thousand three hundred feet to station numbered seventeen; thence north eighty-seven degrees and twenty-seven minutes west six thousand four hundred feet, more or less, to station numbered one, the place of beginning; including those four certain reservoirs claimed or occupied by said city of Durango, known as reservoir numbered one or upper park reservoir; reservoir numbered two or Santa Maria Lake; reservoir numbered three of [or] Lake Lily, and reservoir numbered four or Lakeside Lake, subject to any former grant or conveyance affecting said lands, be, and the same are hereby, granted and conveyed to the city of Durango, county of La Plata and State of Colorado, to have and to hold said lands to its use and behoof forever for the purposes of water storage and supply of its waterworks and the protection of its water supply, and for such purposes said city shall forever have the right in its discretion to control and use any and all parts of the said premises herein granted and conveyed in the construction of reservoirs, conduits, and flumes, and in the laying of pipes and mains and in making such improvements as may be necessary to store, utilize, protect from pollution, and enjoy the waters contained in any natural or constructed reservoir, basins, or waterways upon said premises: *Provided*, That the city of Durango shall pay for said land the sum of one dollar and twenty-five cents per acre: *Provided further*, That the Forest Service of the United States Department of Agriculture shall have full power to patrol the said lands and to protect them from fire and trespass: *Provided further*, That the Forest Service may dispose of the timber upon the said lands, except so much thereof as may be growing within one hundred feet from the margin of any natural or constructed reservoir or of the main creeks within the said boundary flowing into such reservoirs under such additional rules for lumbering, to protect said waters from pollution, as shall be prescribed by the Forester and approved by the mayor of the city of Durango: *And provided further*, That if said city shall fence all or any part of said lands it shall provide practicable gates in such fence at points to be designated by the supervisor of the San Juan Forest Reserve.

Act March 1, 1907, c. 2288, s. 1, 34 Stat. 1053.

Reversion on nonuser.

SEC. 2. That if the said city of Durango shall, at any time hereafter, abandon the lands above described and cease to use the same for said purposes said above-described lands shall revert to the Government of the United States.

Act March 1, 1907, c. 2288, s. 2, 34 Stat. 1054.

ACT MARCH 2, 1907, c. 2526. An act to grant certain lands to the city of Boulder, Colorado. (34 Stat. 1223.)

Certain lands in Boulder County, Colo., granted to Boulder, Colo., for water supply; payment; grant subject to prior legal rights.

That the following-described tracts of land, situate in the county of Boulder, Colorado, namely, all of the north half of the southeast quarter of section eighteen, all of lots six and ten of section eighteen, all of lot three of section eighteen, all of the northeast quarter of the

southwest quarter of section eighteen, all of lot two of section eighteen, and all of the southeast quarter of the northwest quarter of section eighteen; all of the north half of the southeast quarter of section nineteen, all of the southeast quarter of the southeast quarter of section nineteen, all of lot three of section nineteen, and all of the northeast quarter of the southwest quarter of section nineteen; all of lot two of section twenty, all of the southwest quarter of the northwest quarter of section twenty and all of the northwest quarter of the southwest quarter of section twenty; all of the southwest quarter of the southeast quarter of section twenty-one; all of the southeast quarter of the southwest quarter of section twenty-one and all of the northwest quarter of the southwest quarter of section twenty-one; all of the northeast quarter of section twenty-eight, all of the southeast quarter of section twenty-eight, and all of the northeast quarter of the northwest quarter of section twenty-eight; all of the north half of the northwest quarter of section twenty-nine and all of the northwest quarter of the northeast quarter of section twenty-nine; all of the north half of the northeast quarter of section thirty and all of lot one of section thirty; all in township one north, range seventy-three west of the sixth principal meridian; also all of the southeast quarter of section twenty-four and all of the north half of the northeast quarter of section twenty-five, in township one north, range seventy-four west of the sixth principal meridian; containing one thousand five hundred and fifty-seven and eighty-seven one-hundredths acres of land, more or less, be, and the same is hereby, granted and conveyed to the city of Boulder, in the county of Boulder and State of Colorado, upon the payment of one dollar and twenty-five cents per acre by said city to the United States, to have and to hold said lands to its use and behoof forever for purposes of water storage and supply of its waterworks; and for said purposes said city shall forever have the right, in its discretion, to control and use any and all parts of the premises herein conveyed, and in the construction of reservoirs, laying such pipes and mains, and in making such improvements as may be necessary to utilize the water contained in any natural or constructed reservoirs upon said premises: *Provided, however,* That the grant hereby made is, and the patent issued hereunder shall be, subject to all legal rights heretofore acquired by any person or persons in or to the above-described premises, or any part thereof, and now existing under and by virtue of the laws of the United States.

Act March 2, 1907, c. 2526, 34 Stat. 1223.

ACT JULY 20, 1912, c. 245. An act to authorize the Secretary of the Interior to grant to Salt Lake City, Utah, a right of way over certain public lands for reservoir purposes. (37 Stat. 197.)

Right of way over certain lands within Wasatch National Forest granted to Salt Lake City, Utah, for reservoir purposes.

That the Secretary of the Interior be, and he is hereby, authorized to grant to Salt Lake City, Utah, under the provisions of section four of the Act of February first, nineteen hundred and five (Thirty-third Statutes, six hundred and twenty-eight), a right of way on and over section thirty-four, township two south, range three east, and sections two and three, township three south, range three east, in Big Cottonwood Canyon, within the Wasatch National Forest, Salt Lake

City land district, Utah, which lands have heretofore been reserved for reservoir purposes under and by virtue of the Act of October second, eighteen hundred and eighty-eight (Twenty-fifth Statutes, five hundred and five).

Act July 20, 1912, c. 245, 37 Stat. 197.

Act February 1, 1905, c. 288, §. 4, mentioned in this section, is set forth on p. 86, *ante*.

ACT MAY 1, 1906, c. 2076. An act granting the Edison Electric Company a permit to occupy certain lands for electric-power plants in the San Bernardino, Sierra, and San Gabriel forest reserves, in the State of California. (34 Stat. 163.)

Permit granted to Edison Electric Co. to occupy certain lands within San Bernardino Forest Reserve, Sierra Forest Reserve, and San Gabriel Forest Reserve for water-power plants.

That upon the conditions herein named the Edison Electric Company, a corporation existing under the laws of the State of Wyoming, and engaged in generating and distributing electric energy for use by municipalities and the public generally for lighting and power purposes, is hereby granted a permit, the duration of which shall be fixed by the Secretary of the Interior immediately after the passage of this Act, revocable during the term fixed by said Secretary only in the manner and for the causes hereinafter specified, to occupy and use lands, to be designated in the manner hereinafter specified, within the San Bernardino, Sierra, and San Gabriel forest reserves, in the State of California, for canals, conduit lines, pole lines, power houses, diverting dams, necessary grounds to be submerged above the diverting dams, and necessary buildings and structures for the water-power plants hereinafter described, for the generation, transmission, and distribution of electrical power, namely:

(a) For the diversion of the waters of Mill Creek from a point on Mill Creek in the southeast quarter of the northeast quarter section eight, township one south, range one west, San Bernardino base and meridian, and the conveyance of said waters thence westwardly and southwestwardly through said section eight and through sections seven and eighteen, township one south, range one west, San Bernardino base and meridian, and thence westwardly through section thirteen, township one south, range two west, San Bernardino base and meridian, to a power house situated on Mill Creek, in the southwest quarter of the northeast quarter of said section thirteen, in the San Bernardino Forest Reserve.

(b) For the diversion of the waters of Mill Creek from a point on Mill Creek in the northwest quarter of the northeast quarter of section thirteen, township one south, range one west, San Bernardino base and meridian; thence westwardly through said section thirteen and through sections fourteen, fifteen, sixteen, seventeen, and eighteen, township one south, range one west, San Bernardino base and meridian, and westwardly through section thirteen, township one south, range two west, San Bernardino base and meridian, to a power house on Mill Creek, in the southwest quarter of the northeast quarter of said section thirteen, in the San Bernardino Forest Reserve.

(c) For the diversion of the waters of the Santa Ana River from a point on Santa Ana River in the southwest quarter of the northwest quarter of section twenty, township one north, range one west,

San Bernardino base and meridian; thence southwestwardly through said section twenty and through section nineteen, township one north, range one west, San Bernardino base and meridian, and sections twenty-four, twenty-three, and twenty-six, township one north, range two west, San Bernardino base and meridian, to a power house situated on Santa Ana River, in the northwest quarter of the northeast quarter of said section twenty-six, in the San Bernardino Forest Reserve.

(d) For the diversion of the waters of Santa Ana River from a point on Santa Ana River in the northwest quarter of the northeast quarter of section twenty-six, township one north, range two west, San Bernardino base and meridian; thence westwardly, southwardly, and southwestwardly through said section twenty-six and through section thirty-five, township one north, range two west, San Bernardino base and meridian, and section thirty-four, township one north, range two west, San Bernardino base and meridian, to a power house situated on Santa Ana River, in the southwest quarter of the northeast quarter of said section thirty-four in the San Bernardino Forest Reserve.

(e) For the diversion of the waters of Lytle Creek from a point on Lytle Creek in the southwest quarter of the northwest quarter of section twenty-six, township two north, range six west, San Bernardino base and meridian, in the San Gabriel Forest Reserve; thence northeastwardly, eastwardly, and southeastwardly through said section twenty-six and through sections twenty-five and thirty-six, township two north, range six west, San Bernardino base and meridian, to the eastern boundary of said section thirty-six and the western boundary of the San Bernardino Forest Reserve; thence southwardly through section thirty-one township two north, range five west, San Bernardino base and meridian, in the San Bernardino Forest Reserve, and southeastwardly through section six, township one north, range five west, San Bernardino base and meridian, to a power house in the northeast quarter of the northwest quarter of said section six, in the San Bernardino Forest Reserve.

(f) For the diversion of the waters of Kern River from a point on Kern River, in the southwest quarter of the northwest quarter of section five, township twenty-eight south, range thirty-one east, Mount Diablo base and meridian; thence southwardly and southwestwardly through said section five and sections six and seven, township twenty-eight south, range thirty-one east, Mount Diablo base and meridian, and sections twelve, thirteen, twenty-four, and twenty-six, township twenty-eight south, range thirty east, Mount Diablo base and meridian, and westwardly, northwestwardly and southwestwardly through sections twenty-six, twenty-seven, twenty-two and twenty-eight, township twenty-eight south, range thirty east, and westwardly and northwestwardly through sections twenty-nine and thirty, township twenty-eight south, range thirty west, Mount Diablo base and meridian, to a power house in the northeast quarter of the southeast quarter of said section thirty, in the Sierra Forest Reserve.

(g) For the diversion of the waters of Kern River from a point on Kern River in the northwest quarter of the northeast quarter of section fifteen, township twenty-seven south, range thirty-two east, Mount Diablo base and meridian; thence southwardly and southwest-

wardly through said section fifteen and sections sixteen, seventeen, twenty, nineteen, and thirty, township twenty-seven south, range thirty-two east, and westwardly through section twenty-five, township twenty-seven south, range thirty-one east, Mount Diablo base and meridian, and southwestwardly through sections twenty-six, thirty-five, and thirty-four, township twenty-seven south, range thirty-one east, and westwardly and southwestwardly through section thirty-three, township twenty-seven south, range thirty-one east, and sections four and five, township twenty-eight south, range thirty-one east, Mount Diablo base and meridian, to a power house in the northwest quarter of the southwest quarter of said section five, in the Sierra Forest Reserve.

(h) For the diversion of the waters of Kern River from a point on Kern River in the southeast quarter of the southwest quarter of section twelve, township twenty-three south, range thirty-two east, Mount Diablo base and meridian; thence southwardly and southeastwardly through said section twelve and sections thirteen, twenty-four, and twenty-five, township twenty-three south, range thirty-two east, Mount Diablo base and meridian, and southeastwardly through sections thirty, thirty-one, and thirty-two, township twenty-three south, range thirty-three east, Mount Diablo base and meridian, and southeastwardly, southwestwardly, and southwardly through sections five, eight, nine, sixteen, and seventeen, township twenty-four south, range thirty-three east, Mount Diablo base and meridian, and southwestwardly and southeastwardly through sections twenty, twenty-nine, thirty-two, and thirty-three, township twenty-four south, range thirty-three east, and southeastwardly and southwestwardly through sections three, ten, and nine, township twenty-five south, range thirty-three east, Mount Diablo base and meridian, to a power house in the northeast quarter of the northeast quarter of said section nine in the Sierra Forest Reserve.

(i) For the diversion of the waters of Kern River from a point on Kern River in the southeast quarter of the northwest quarter of section five, township twenty-one south, range thirty-three east, Mount Diablo base and meridian; thence southwestwardly and southwardly through said section five and sections six, seven, eighteen, nineteen, thirty, and thirty-one, township twenty-one south, range thirty-three east, Mount Diablo base and meridian, and southwardly, southeastwardly, and southwestwardly through sections six, seven, and eighteen, township twenty-two south, range thirty-three east, Mount Diablo base and meridian, and southwestwardly through sections twenty-four, twenty-five, and thirty-six, township twenty-two south, range thirty-two east, Mount Diablo base and meridian, to the southeast quarter of the southwest quarter of said section thirty-six, township twenty-two south, range thirty-two east, Mount Diablo base and meridian; also southeastwardly through section twenty-five, township twenty-two south, range thirty-two east, Mount Diablo base and meridian, and southeastwardly and southwestwardly through sections thirty and thirty-one, township twenty-two south, range thirty-three east, Mount Diablo base and meridian, and southwestwardly through sections six and seven, township twenty-three south, range thirty-three east, Mount Diablo base and meridian, and westwardly through section twelve, township twenty-three south, range thirty-two east, Mount Diablo base and meridian, to a power

house on the northwest quarter of the southeast quarter of said section twelve, in the Sierra Forest Reserve.

Permits for the construction of each of the foregoing power plants having been heretofore granted by the Interior or Agricultural Departments.

Act May 1, 1906, c. 2076, s. 1, 34 Stat. 163.

Areas covered by permit granted.

SEC. 2. That the ground covered by the permit hereby granted shall include fifty feet on each side of the center of said canals or conduit lines and on each side of said pole lines, or so much thereof as may be actually necessary for their installation, maintenance, and use, and the ground actually occupied by and necessary for power houses, diverting dams, and necessary buildings and structures to be used in connection with the operation and maintenance of said water-power plants, together with fifty feet on each side of the marginal limits of all of such buildings and structures, or such portion of said fifty feet as may be actually necessary for the efficient operation and maintenance of said power plants, dams, and other structures; also the right to submerge and flood at the intake of each of said power plants within said forest reserves, not to exceed thirty acres in each case, such area only as may be actually necessary to divert the water into the several canal or conduit lines for said several power plants.

Act May 1, 1906, c. 2076, s. 2, 34 Stat. 166.

Maps to be filed; lands included subject to rights conveyed.

SEC. 3. That within six months after the passage of this Act the Edison Electric Company shall file with the register of the United States land office for the district where said power plants are located, and with the Forester of the Department of Agriculture, a map and such copies thereof as the Secretary of the Interior may prescribe, showing separately as to each power plant the ground occupied or proposed to be occupied by such canals or conduit lines, pole lines, power houses, and other buildings and structures used in connection with said electrical power plants. These maps shall show the dimensions of each building and structure and each diverting dam, and the areas which it will be necessary to submerge at the point of intake of each power plant and, after the filing of said maps, all lands covered by this permit as shown on the maps, or to be occupied by such buildings and structures as shown, together with such portion of fifty feet on each side of the marginal limits thereof as may be actually necessary for the operation of the power plants, and such land as may be submerged by the construction and operation of said power plants, shall, when disposed of by the Government, be disposed of subject to the rights hereby granted unless said rights shall have terminated or shall have been revoked as herein provided prior to such disposal.

Act May 1, 1906, c. 2076, s. 3, 34 Stat. 166.

Forest reserve regulations; limitation of use of timber; payment for timber used.

SEC. 4. That said company shall conform to all regulations adopted or prescribed by the Secretary of Agriculture or the Secretary of the Interior governing said forest reserves, or the use or the users thereof, and shall not take, cut, or destroy any timber within the

forest reserves except such as it may be actually necessary to remove to construct its power plants and the structures pertaining thereto, and it shall be required to pay to the proper officer of the Forest Service the full value of all timber and wood cut, used, or destroyed by it within the forest reserves.

Act May 1, 1906, c. 2076, s. 4, 34 Stat. 166.

Control of water for irrigation not affected.

SEC. 5. That the privileges herein granted shall not be construed to interfere with the control of water for irrigation and other purposes under laws of the United States or of the State of California.

Act May 1, 1906, c. 2076, s. 5, 34 Stat. 166.

Private rights, etc., protected.

SEC. 6. That no private right, title, or interest owned by any person, persons, or corporation in such forest reserves shall be interfered with or abridged, except with the consent of the owner or owners, or by due process of law and just compensation to said owner or owners.

Act May 1, 1906, c. 2076, s. 6, 34 Stat. 166.

Revocation of permit granted as to certain power plants upon noncompletion within certain periods.

SEC. 7. That if the said permittee shall fail to consummate and put in operation the said power plant specified in subdivision (f) of section one hereof within two years from the date of the passage of this Act, or the power plant specified in subdivisions (g), (h), and (i) of section one hereof within five years from the passage of this Act; then as to each of said power plants not completed and put in operation within the time herein limited this permit shall be deemed to be revoked without judicial or other proceeding; and a failure during any year after completion to operate any power plant provided for in this Act for a total time of ninety days in such year shall operate as a like revocation of this permit as to such plant or plants.

Act May 1, 1906, c. 2076, s. 7, 34 Stat. 166.

Permit granted subject to laws and rules and regulations relating to forest reserves; penalties and damages for infractions or breaches; revocation of permit on failure to pay amounts due Forest Service; permit granted not affected by transfer of departmental jurisdiction over lands.

SEC. 8. That the enjoyment of the permit hereby granted shall be subject at all times to all laws relating to the forest reserves, and to all rules and regulations authorized and established thereunder, and that for infraction of such laws, rules, or regulations the owner or user of said permit shall be subject to all fines and penalties imposed thereby, and shall also be liable in a civil action for all damages that may accrue from such breach, and that for any continued infraction of such laws, rules, or regulations, or failure to pay any amount due the Forest Service from said company within sixty days of notice thereof, the Secretary of the Department of the Interior may, upon request of the Secretary of Agriculture, after due notice and hearing, revoke and vacate this permit: *Provided*, That the transfer of any lands from the jurisdiction of one department to that of another shall in no wise affect this permit, but the power hereby vested in

the Secretary shall, upon such transfer, be deemed to be transferred with the land.

Act May 1, 1906, c. 2076, s. 8, 34 Stat. 167.

Payment to Forest Service for privileges granted and for wood or timber; free access to agents, etc., of Forest Service; construction of roads or trails over lands covered by permit granted; permittee to assist in fighting forest fires.

SEC. 9. That the said company shall pay annually in advance to the proper officer of the Forest Service, as compensation for the privileges hereby granted, such reasonable sum as the Secretary of Agriculture may fix from year to year, and shall pay for wood or timber cut, removed, or destroyed as fast as the value thereof may be ascertained and charged by the Forester: *Provided*, That the Secretary of Agriculture, his agents and employees, and all officers of the Forest Service, shall have free and unrestricted access in, through, and across all lands and structures covered by said permit in the performance of their official duties, and the Secretary in charge of forest reserves may construct or permit to be constructed in, through, or across any land covered by said permit roads or trails, public or otherwise, or other means of transportation, not inconsistent with the enjoyment of the permit hereby granted: *Provided further*, That the Edison Electric Company shall, under penalty of immediate forfeiture of the permit hereby granted, when requested to do so, assist the forest officers in fighting fire, and shall furnish any men under its employ necessary for that purpose, and shall otherwise assist to the extent of its power in protecting the forest reserves and maintaining good order upon them.

Act May 1, 1906, c. 2076, s. 9, 34 Stat. 167.

Amendment or repeal of act.

SEC. 10. That Congress shall have power at any time to amend, modify, or repeal this Act.

Act May 1, 1906, c. 2076, s. 10, 34 Stat. 167.

ACT MAY 30, 1910, c. 261. An act granting certain lands in the Coconino National Forest, in Arizona, for observatory purposes. (36 Stat. 452.)

Certain lands in Coconino National Forest granted to Percival Lowell for observatory purposes; reversion for nonuser; timber rights reserved.

That there be, and hereby is, granted to Percival Lowell, his heirs and assigns, section numbered seventeen, in township numbered twenty-one north of range seven east of the Gila and Salt River base and meridian, the said tract of land being within the Coconino National Forest, in the Territory of Arizona, for observatory purposes in connection with the Lowell Observatory: *Provided*, That in the event of the removal or abandonment of the said observatory or the use of said land by the grantee for other than observatory purposes the said land shall revert to the United States: *Provided further*, That the title to the merchantable timber thereon and the right to cut and remove the same in such manner as to preserve the herbage and undergrowth in their natural condition shall remain in the United States.

Act May 30, 1910, c. 261, 36 Stat. 452.

ACT MARCH 11, 1912, c. 57. An act to amend an act entitled "An act granting to certain employees of the United States the right to receive compensation for injuries sustained in the course of their employment," approved May thirtieth, nineteen hundred and eight. (37 Stat. 74.)

Compensation of employees of Forest Service for injuries sustained in course of employment.

That the provisions of the Act approved May thirtieth, nineteen hundred and eight, entitled "An Act granting to certain employees of the United States the right to receive from it compensation for injuries sustained in the course of their employment," shall, in addition to the classes of persons therein designated, be held to apply to any artisan, laborer, or other employee engaged in any hazardous work under the Bureau of Mines or the Forestry Service of the United States: *Provided*, That this Act shall not be held to embrace any case arising prior to its passage.

Act March 11, 1912, c. 57, 37 Stat. 74.

Act May 30, 1908, c. 236, mentioned in this act, is set forth below.

ACT MAY 30, 1908, c. 236. An act granting to certain employees of the United States the right to receive from it compensation for injuries sustained in the course of their employment. (35 Stat. 556.)

Compensation to certain Government employees engaged in hazardous work, for injuries sustained in course of employment.

That when, on or after August first, nineteen hundred and eight, any person employed by the United States as an artisan or laborer in any of its manufacturing establishments, arsenals, or navy-yards, or in the construction of river and harbor or fortification work or in hazardous employment on construction work in the reclamation of arid lands or the management and control of the same, or in hazardous employment under the Isthmian Canal Commission, is injured in the course of such employment, such employee shall be entitled to receive for one year thereafter, unless such employee, in the opinion of the Secretary of Commerce and Labor, be sooner able to resume work, the same pay as if he continued to be employed, such payment to be made under such regulations as the Secretary of Commerce and Labor may prescribe: *Provided*, That no compensation shall be paid under this Act where the injury is due to the negligence or misconduct of the employee injured, nor unless said injury shall continue for more than fifteen days. All questions of negligence or misconduct shall be determined by the Secretary of Commerce and Labor.

Act May 30, 1908, c. 236, s. 1, 35 Stat. 556.

In addition to the classes of employees designated in this section the provisions of this act are made applicable to artisans, laborers, or other employees engaged in hazardous work under the Forest Service, by act March 11, 1912, c. 57, 37 Stat. 74, set forth above.

Compensation to widows, etc., of employees dying from injuries received in course of employment.

SEC. 2. That if any artisan or laborer so employed shall die during the said year by reason of such injury received in the course of such employment, leaving a widow, or a child or children under sixteen years of age, or a dependent parent, such widow and child or children and dependent parent shall be entitled to receive, in such portions and under such regulations as the Secretary of Commerce and Labor may prescribe, the same amount, for the remainder of the

said year, that said artisan or laborer would be entitled to receive as pay if such employee were alive and continued to be employed: *Provided*, That if the widow shall die at any time during the said year her portion of said amount shall be added to the amount to be paid to the remaining beneficiaries under the provisions of this section, if there be any.

Act May 30, 1908, c. 236, s. 2, 35 Stat. 556.

Reports of accidents to employees within act, and injuries therefrom.

SEC. 3. That whenever an accident occurs to any employee embraced within the terms of the first section of this Act, and which results in death or a probable incapacity for work, it shall be the duty of the official superior of such employee to at once report such accident and the injury resulting therefrom to the head of his Bureau or independent office, and his report shall be immediately communicated through regular official channels to the Secretary of Commerce and Labor. Such report shall state, first, the time, cause, and nature of the accident and injury and the probable duration of the injury resulting therefrom; second, whether the accident arose out of or in the course of the injured person's employment; third, whether the accident was due to negligence or misconduct on the part of the employee injured; fourth, any other matters required by such rules and regulations as the Secretary of Commerce and Labor may prescribe. The head of each Department or independent office shall have power, however, to charge a special official with the duty of making such reports.

Act May 30, 1908, c. 236, s. 3, 35 Stat. 557.

Affidavit and physician's certificate in case of accidents resulting in death or incapacity for work; determination of compensation to be paid.

SEC. 4. That in the case of any accident which shall result in death, the persons entitled to compensation under this Act or their legal representatives shall, within ninety days after such death, file with the Secretary of Commerce and Labor an affidavit setting forth their relationship to the deceased and the ground of their claim for compensation under the provisions of this Act. This shall be accompanied by the certificate of the attending physician setting forth the fact and cause of death, or the nonproduction of the certificate shall be satisfactorily accounted for. In the case of incapacity for work lasting more than fifteen days, the injured party desiring to take the benefit of this Act shall, within a reasonable period after the expiration of such time, file with his official superior, to be forwarded through regular official channels to the Secretary of Commerce and Labor, an affidavit setting forth the grounds of his claim for compensation, to be accompanied by a certificate of the attending physician as to the cause and nature of the injury and probable duration of the incapacity, or the nonproduction of the certificate shall be satisfactorily accounted for. If the Secretary of Commerce and Labor shall find from the report and affidavit or other evidence produced by the claimant or his or her legal representatives, or from such additional investigation as the Secretary of Commerce and Labor may direct, that a claim for compensation is established under this Act, the compensation to be paid shall be determined as pro-

vided under this Act and approved for payment by the Secretary of Commerce and Labor.

Act May 30, 1908, c. 236, s. 4, 35 Stat. 557.

Medical examination of employees.

SEC. 5. That the employee shall, whenever and as often as required by the Secretary of Commerce and Labor, at least once in six months, submit to medical examination, to be provided and paid for under the direction of the Secretary, and if such employee refuses to submit to or obstructs such examination his or her right to compensation shall be lost for the period covered by the continuance of such refusal or obstruction.

Act May 30, 1908, c. 236, s. 5, 35 Stat. 557.

Payments to beneficiaries, etc.

SEC. 6. That payments under this Act are only to be made to the beneficiaries or their legal representatives other than assignees, and shall not be subject to the claims of creditors.

Act May 30, 1908, c. 236, s. 6, 35 Stat. 557.

No exemption from liability by contract, regulation, etc.

SEC. 7. That the United States shall not exempt itself from liability under this Act by any contract, agreement, rule, or regulation, and any such contract, agreement, rule, or regulation shall be pro tanto void.

Act May 30, 1908, c. 236, s. 7, 35 Stat. 558.

Repeal.

SEC. 8. That all Acts or parts of Acts in conflict herewith or providing a different scale of compensation or otherwise regulating its payment are hereby repealed.

Act May 30, 1908, c. 236, s. 8, 35 Stat. 558.

ACT FEBRUARY 1, 1905, c. 288. (33 Stat. 628.)

Forest supervisors and rangers; selection.

SEC. 3. That forest supervisors and rangers shall be selected, when practicable, from qualified citizens of the States or Territories in which the said reserves, respectively, are situated.

Act February 1, 1905, c. 288, s. 3, 33 Stat. 628.

This is a section of "An act providing for the transfer of forest reserves from the Department of the Interior to the Department of Agriculture," cited above.

Previous provisions relating to the selection of forestry agents, superintendents, and supervisors, etc., under the Secretary of the Interior, were contained in the sundry civil appropriation acts for the fiscal years 1900 to 1905, inclusive.

ACT MAY 23, 1908, c. 192. (35 Stat. 251.)

Advances of money under appropriations for Forest Service for fighting forest fires in emergency cases.

* * * hereafter advances of money under any appropriation for the Forest Service may be made to the Forest Service and by authority of the Secretary of Agriculture to chiefs of field parties for fighting forest fires in emergency cases, who shall give bond

under such rules and regulations and in such sum as the Secretary of Agriculture may direct, and detailed accounts arising under such advances shall be rendered through and by the Department of Agriculture to the Treasury Department; * * *

Act May 23, 1908, c. 192, 35 Stat. 259.

This is a provision of the agricultural appropriation act for the fiscal year 1909, cited above.

ACT MARCH 4, 1907, c. 2907. (34 Stat. 1256.)

Sale of photographic prints, etc., and forest maps, and of condemned property or materials.

* * * hereafter he [the Secretary of Agriculture] may dispose of photographic prints (including bromide enlargements), lantern slides, transparencies, blueprints, and forest maps at cost and ten per centum additional, and condemned property or materials under his charge in the same manner as provided by law for other bureaus; * * *

Act March 4, 1907, c. 2907, 34 Stat. 1270.

This is a provision, under "General Expenses, Forest Service," of the agricultural appropriation act for the fiscal year 1908, cited above. Similar provisions, without the word "hereafter", are contained in the similar appropriation acts for the previous fiscal years, beginning with 1906.

A provision of the same act authorizing the Secretary of Agriculture to furnish prints and lantern slides from negatives in the possession of the department, is set forth on p. 22, *ante*.

ACT AUGUST 10, 1912, c. 284. (37 Stat. 269.)

Furnishing young trees from Nebraska National Forest to residents of arid region.

Nebraska National Forest, Nebraska, * * * That from the nurseries on said forest the Secretary of Agriculture, under such rules and regulations as he may prescribe, may furnish young trees free, so far as they may be spared, to residents of the territory covered by "An Act increasing the area of homesteads in a portion of Nebraska," approved April twenty-eighth, nineteen hundred and four; * * *

Act August 10, 1912, c. 284, 37 Stat. 284.

This is a proviso annexed to the appropriation for the Nebraska National Forest in the agricultural appropriation act for the fiscal year 1913. A proviso in the same language accompanied the similar act for the preceding fiscal year.

ACT MARCH 4, 1911, c. 238. (36 Stat. 1235.)

Statement of Forest Service expenditures, 1900 to 1910.

That the Secretary of Agriculture shall prepare or cause to be prepared a statement showing all expenditures made each fiscal year by, through, or on account of the Forest Service from the year nineteen hundred to the year nineteen hundred and ten, both inclusive, stated as follows:

For permanent forest improvements in each State and Territory; for salaries and other compensation of inspectors, forest supervisors, forest rangers, deputy forest rangers, assistant forest rangers, stating the number of each class; for part time force to meet emergencies in extinguishing forest fires; for railroad fares, automobile hire, carriage and horse hire; for hotel bills; for freight and express; for

telephone and telegraph; for statutory and lump-fund salaries of officers and clerks and the number thereof in the city of Washington, and all other expenditures made for the conduct of the bureau in the city of Washington, including rent, fuel, stationery, furniture, furnishings, typewriters, giving number purchased, miscellaneous supplies, giving classification of same; for salaries, clerk hire, hotel bills, automobile, carriage and horse hire, miscellaneous supplies, giving classification thereof, office supplies, and all other expenditures made in connection with the conduct of the Forest Service outside of the city of Washington; for compensation of persons engaged in writing descriptive or other matter for publication, giving names of persons so employed and amount paid to each therefor, and names of publications accepting such matter for publication and amount paid to each therefor; for photographs, lantern slides, lecture equipment and lecturers; for printing and binding; said statement to show also for the same period of time the amounts collected by the Forest Service for timber and the use of the forests.

Act March 4, 1911, c. 238, 36 Stat. 1265.

These are provisions of the agricultural appropriation act for the fiscal year 1912, cited above.

Provisions contained in act March 4, 1907, c. 2907, requiring the Secretary of Agriculture to submit to Congress classified and detailed estimates and reports of expenditures by the Forest Service, are repealed by a provision of act March 4, 1911, c. 238, set forth on p. 17, *ante*.

ACT AUGUST 10, 1912, c. 284. (37 Stat. 269.)

SALARIES, FOREST SERVICE: One Forester, who shall be chief of bureau, five thousand dollars; one administrative assistant, two thousand dollars; one forest supervisor, two thousand seven hundred dollars; one forest supervisor, two thousand six hundred dollars; five forest supervisors, at two thousand four hundred dollars each; twenty forest supervisors, at two thousand two hundred dollars each; forty-five forest supervisors, at two thousand dollars each; sixty-six forest supervisors, at one thousand eight hundred dollars each; ten forest supervisors, at one thousand six hundred dollars each; four deputy forest supervisors, at one thousand seven hundred dollars each; twenty-one deputy forest supervisors, at one thousand six hundred dollars each; thirty deputy forest supervisors, at one thousand five hundred dollars each; twenty-five deputy forest supervisors, at one thousand four hundred dollars each; two forest rangers, at one thousand five hundred dollars each; twenty-one forest rangers, at one thousand four hundred dollars each; seventy-eight forest rangers, at one thousand three hundred dollars each; two hundred and fifty-two forest rangers, at one thousand two hundred dollars each; seven hundred and thirty-four assistant forest rangers, at one thousand one hundred dollars each; one property auditor, one thousand eight hundred dollars; one clerk, two thousand one hundred dollars; three clerks, at two thousand dollars each; eleven clerks, at one thousand eight hundred dollars each; twenty-five clerks, at one thousand six hundred dollars each; nine clerks, at one thousand five hundred dollars each; seventeen clerks, at one thousand four hundred dollars each; six clerks, at one thousand three hundred dollars each; seventy-seven clerks, at one thousand two hundred dollars each; fifty-nine clerks, at one thousand one hundred dollars each; fifty-one

clerks, at one thousand and twenty dollars each; thirty clerks, at nine hundred and sixty dollars each; one hundred and twenty-eight clerks, at nine hundred dollars each; two clerks, at eight hundred and forty dollars each; one game warden, one thousand four hundred dollars; one game warden, one thousand two hundred dollars; one compiler, one thousand six hundred dollars; one draftsman, two thousand dollars; three draftsmen, at one thousand six hundred dollars each; two draftsmen, at one thousand five hundred dollars each; six draftsmen, at one thousand four hundred dollars each; four draftsmen, at one thousand three hundred dollars each; seven draftsmen, at one thousand two hundred dollars each; two draftsmen, at one thousand one hundred dollars each; three draftsmen, at one thousand and twenty dollars each; one draftsman, nine hundred and sixty dollars; four draftsmen, at nine hundred dollars each; one artist, one thousand four hundred dollars; one artist, one thousand dollars; four map colorists, at nine hundred dollars each; one map colorist, seven hundred and twenty dollars; one photographer, one thousand six hundred dollars; one photographer, one thousand four hundred dollars; one photographer, one thousand two hundred dollars; one photographer, one thousand one hundred dollars; one lithographer, one thousand two hundred dollars; one lithographer's helper, seven hundred and eighty dollars; one machinist, one thousand two hundred and sixty dollars; one carpenter, one thousand two hundred dollars; two carpenters, at one thousand dollars each; one carpenter, nine hundred and sixty dollars; one electrician, one thousand and twenty dollars; one laboratory aid and engineer, nine hundred dollars; three laboratory assistants, at nine hundred dollars each; one laboratory assistant, eight hundred dollars; one laboratory helper, seven hundred and twenty dollars; one laboratory helper, six hundred dollars; one packer, one thousand dollars; one packer, seven hundred and eighty dollars; four watchmen, at eight hundred and forty dollars each; one messenger or laborer, nine hundred and sixty dollars; three messengers or laborers, at nine hundred dollars each; four messengers or laborers, at eight hundred and forty dollars each; three messengers or laborers, at seven hundred and eighty dollars each; four messengers or laborers, at seven hundred and twenty dollars each; six messengers or laborers, at six hundred and sixty dollars each; five messengers or laborers, at six hundred dollars each; two messengers or laborers, at five hundred and forty dollars each; three messengers or messenger boys, at four hundred and eighty dollars each; three messengers or messenger boys, at four hundred and twenty dollars each; twelve messengers or messenger boys, at three hundred and sixty dollars each; one apprentice boy, four hundred and eighty dollars; one charwoman, five hundred and forty dollars; one charwoman, four hundred and eighty dollars; one charwoman, three hundred dollars; eleven charwomen, at two hundred and forty dollars each; in all, two million two hundred and thirty-five thousand seven hundred and sixty dollars.

GENERAL EXPENSES, FOREST SERVICE: To enable the Secretary of Agriculture to experiment and to make and continue investigations and report on forestry, national forests, forest fires, and lumbering, but no part of this appropriation shall be used for any experiment or test made outside the jurisdiction of the United States; to advise the owners of woodlands as to the proper care of the same; to investigate

and test American timber and timber trees and their uses, and methods for the preservative treatment of timber; to seek, through investigations and the planting of native and foreign species, suitable trees for the treeless regions; to erect necessary buildings: *Provided*, That the cost of any building erected shall not exceed six hundred and fifty dollars: *And provided further*, That no part of the appropriation made by this Act shall be used for the construction, repair, maintenance or use of buildings or improvements made for forest-ranger stations within the inclosed fields of bona fide homestead settlers who have established residence upon their homestead lands prior to the date of the establishment of the forest reservation in which the homestead lands are situated, without the consent of the homesteader; to pay all expenses necessary to protect, administer, and improve the national forests; to ascertain the natural conditions upon and utilize the national forests; * * *

Provisions of this act, here omitted, authorizing the exportation of timber and other forest products, cut or removed from national forests, from the State, etc., in which such forests are located, are set forth on p. 92, *ante*.

* * * to transport and care for fish and game supplied to stock the national forests or the waters therein; to employ agents, clerks, assistants, and other labor required in practical forestry and in the administration of national forests, in the city of Washington and elsewhere; to collate, digest, report, and illustrate the results of experiments and investigations made by the Forest Service; to purchase law books, to an amount not exceeding five hundred dollars, necessary supplies, apparatus, and office fixtures, and technical books and technical journals for officers of the Forest Service stationed outside of Washington; to pay freight, express, telephone, and telegraph charges; for electric light and power, fuel, gas, ice, washing towels, and official traveling and other necessary expenses, including traveling expenses for legal and fiscal officers while performing Forest Service work; and for rent outside of the District of Columbia, as follows:

For salaries and field and station expenses, including the maintenance of nurseries, collecting seed, and planting, necessary for the use, maintenance, improvement, and protection of the national forests named below:

Absaroka National Forest, Montana, eight thousand two hundred and thirteen dollars;

Alamo National Forest, New Mexico, six thousand five hundred and thirty-five dollars;

Angeles National Forest, California, thirteen thousand five hundred and seventy-seven dollars;

Apache National Forest, Arizona, thirteen thousand and eighty-eight dollars;

Arapaho National Forest, Colorado, fourteen thousand seven hundred and fifty-eight dollars;

Arkansas National Forest, Arkansas, fourteen thousand four hundred and two dollars;

Ashley National Forest, Utah and Wyoming, four thousand four hundred and thirty-four dollars;

Battlement National Forest, Colorado, six thousand five hundred and ninety-three dollars;

Beartooth National Forest, Montana, eleven thousand eight hundred and eighty-nine dollars;

Beaverhead National Forest, Montana and Idaho, nine thousand seven hundred and sixty-nine dollars;

Bighorn National Forest, Wyoming, sixteen thousand nine hundred and eighty-eight dollars;

Bitterroot National Forest, Montana, twenty thousand one hundred and fifteen dollars;

Blackfeet National Forest, Montana, twenty-one thousand nine hundred and eighty-one dollars;

Black Hills National Forest, South Dakota, nine thousand one hundred and twenty-eight dollars;

Boise National Forest, Idaho, ten thousand five hundred and nineteen dollars;

Bonneville National Forest, Wyoming, three thousand nine hundred and ninety-three dollars;

Bridger National Forest, Wyoming, three thousand six hundred and thirty-eight dollars;

Cabinet National Forest, Montana, twelve thousand eight hundred and forty-seven dollars;

Cache National Forest, Utah and Idaho, seven thousand seven hundred and three dollars;

California National Forest, California, eleven thousand nine hundred and ninety-three dollars;

Caribou National Forest, Idaho and Wyoming, five thousand two hundred and twenty-eight dollars;

Carson National Forest, New Mexico, seventeen thousand two hundred and ninety-one dollars;

Cascade National Forest, Oregon, twelve thousand one hundred and seventy-nine dollars;

Challis National Forest, Idaho, five thousand two hundred and twenty-six dollars;

Chelan National Forest, Washington, eight thousand and sixty-eight dollars;

Chiricahua National Forest, Arizona and New Mexico, eight thousand three hundred and eighty-two dollars;

Chugach National Forest, Alaska, twenty-three thousand four hundred and eighty-five dollars;

Clearwater National Forest, Idaho, fifteen thousand eight hundred and twenty-seven dollars;

Cleveland National Forest, California, nine thousand four hundred and ninety-nine dollars;

Cochetopa National Forest, Colorado, seven thousand one hundred and fifty-nine dollars;

Coconino National Forest, Arizona, sixteen thousand nine hundred and ninety-four dollars;

Coeur d'Alene National Forest, Idaho, fifteen thousand two hundred and thirty-nine dollars;

Colorado National Forest, Colorado, eight thousand seven hundred and thirty-four dollars;

Columbia National Forest, Washington, thirteen thousand eight hundred and sixty-seven dollars;

Colville National Forest, Washington, ten thousand six hundred and nine dollars;

Coronado National Forest, Arizona, eight thousand five hundred and one dollars;

Crater National Forest, Oregon and California, twenty-five thousand and fifty-nine dollars;

Crook National Forest, Arizona, six thousand and thirty-nine dollars;

Custer National Forest, Montana, eight thousand three hundred and fifty-eight dollars;

Dakota National Forest, North Dakota, one thousand two hundred and thirty-two dollars;

Datil National Forest, New Mexico, thirteen thousand six hundred and eighty-eight dollars;

Deerlodge National Forest, Montana, eighteen thousand three hundred and eighty-nine dollars;

Deschutes National Forest, Oregon, eleven thousand four hundred and six dollars;

Dixie National Forest, Utah and Arizona, three thousand nine hundred and ninety dollars;

Durango National Forest, Colorado, seven thousand five hundred and fifty-eight dollars;

Eldorado National Forest, California and Nevada, eleven thousand two hundred and thirteen dollars;

Fillmore National Forest, Utah, three thousand six hundred and fifty-five dollars;

Fishlake National Forest, Utah, three thousand five hundred and ten dollars;

Flathead National Forest, Montana, twenty-seven thousand one hundred and sixteen dollars;

Florida National Forest, Florida, nine thousand nine hundred and fourteen dollars;

Fremont National Forest, Oregon, ten thousand eight hundred and seven dollars;

Gallatin National Forest, Montana, six thousand eight hundred and seventy-three dollars;

Gila National Forest, New Mexico, twenty-four thousand one hundred and sixty-five dollars;

Gunnison National Forest, Colorado, ten thousand nine hundred and fifty-two dollars;

Harney National Forest, South Dakota, seven thousand five hundred and twenty-five dollars;

Hayden National Forest, Wyoming and Colorado, six thousand five hundred and forty-two dollars;

Helena National Forest, Montana, seven thousand four hundred and sixty-seven dollars;

Holy Cross National Forest, Colorado, seven thousand and seventeen dollars;

Humboldt National Forest, Nevada, five thousand eight hundred and forty dollars;

Idaho National Forest, Idaho, eleven thousand nine hundred and eighty-three dollars;

Inyo National Forest, California and Nevada, eight thousand eight hundred and thirty-nine dollars;

Jefferson National Forest, Montana, eleven thousand three hundred and ninety-four dollars;

Jemez National Forest, New Mexico, seventeen thousand one hundred and thirty-nine dollars;

Kaibab National Forest, Arizona, six thousand six hundred and fifty-two dollars;

Kaniksu National Forest, Idaho and Washington, twenty-five thousand and twenty-seven dollars;

Kansas National Forest, Kansas, three thousand one hundred and seventeen dollars;

Kern National Forest, California, thirteen thousand one hundred and seventy-nine dollars;

Klamath National Forest, California, twenty-seven thousand eight hundred and fifty-seven dollars;

Kootenai National Forest, Montana, thirty thousand eight hundred and forty-six dollars;

La Sal National Forest, Utah and Colorado, six thousand five hundred and sixty-nine dollars;

Lassen National Forest, California, eighteen thousand six hundred and fifty-nine dollars;

Leadville National Forest, Colorado, nine thousand and thirty-seven dollars;

Lemhi National Forest, Idaho, seven thousand two hundred and eighteen dollars;

Lewis and Clark National Forest, Montana, twelve thousand two hundred and eighty-six dollars;

Lincoln National Forest, New Mexico, five thousand six hundred and seventeen dollars;

Lolo National Forest, Montana, twenty thousand one hundred and four dollars;

Luquillo National Forest, Porto Rico, three thousand nine hundred and sixty-one dollars;

Madison National Forest, Montana, ten thousand two hundred and ninety-nine dollars;

Malheur National Forest, Oregon, ten thousand three hundred and ninety-eight dollars;

Manti National Forest, Utah, seven thousand eight hundred and eight dollars;

Manzano National Forest, New Mexico, four thousand six hundred and fifty-three dollars;

Marquette National Forest, Michigan, two thousand eight hundred and sixty-three dollars;

Medicine Bow National Forest, Wyoming, seventeen thousand four hundred and twenty-nine dollars;

Michigan National Forest, Michigan, two thousand four hundred and seventeen dollars;

Minam National Forest, Oregon, four thousand one hundred and ninety-four dollars;

Minnesota National Forest, Minnesota, nine thousand seven hundred and ninety-seven dollars;

Minidoka National Forest, Idaho and Utah, five thousand two hundred and fifty-nine dollars;

Missoula National Forest, Montana, fifteen thousand seven hundred and seventy-six dollars;

Moapa National Forest, Nevada, one thousand seven hundred and ninety-four dollars;

Modoc National Forest, California, ten thousand nine hundred and fifty dollars;

Mono National Forest, Nevada and California, five thousand eight hundred and three dollars.

Monterey National Forest, California, four thousand four hundred and sixty-four dollars;

Montezuma National Forest, Colorado, ten thousand two hundred and fifty-five dollars;

Nebo National Forest, Utah, one thousand six hundred and fifty-four dollars;

Nebraska National Forest, Nebraska, four thousand two hundred and thirty-one dollars: * * *

A proviso here omitted, authorizing the furnishing of young trees from nurseries on the Nebraska National Forest, to certain homestead residents, is set forth on p. 172, *ante*.

Nevada National Forest, Nevada, eight thousand nine hundred and fifty dollars;

Nez Perce National Forest, Idaho, twenty thousand three hundred and sixty dollars;

Ochoco National Forest, Oregon, nine thousand three hundred and fifty-two dollars;

Okanogan National Forest, Washington, sixteen thousand eight hundred and eighty-four dollars;

Olympic National Forest, Washington, sixteen thousand eight hundred and fifty dollars;

Oregon National Forest, Oregon, nineteen thousand and seventy-seven dollars;

Ozark National Forest, Arkansas, fifteen thousand eight hundred and ninety-three dollars;

Palisade National Forest, Idaho and Wyoming, eight thousand seven hundred and twenty-one dollars;

Paulina National Forest, Oregon, thirteen thousand six hundred and seventy dollars;

Payette National Forest, Idaho, twelve thousand four hundred and fifty-four dollars;

Pecos National Forest, New Mexico, thirteen thousand and ninety-three dollars;

Pend Oreille National Forest, Idaho, fourteen thousand three hundred and three dollars;

Pike National Forest, Colorado, seventeen thousand nine hundred and seventy-three dollars;

Plumas National Forest, California, twenty-three thousand six hundred and eight dollars;

Pocatello National Forest, Idaho and Utah, one thousand four hundred and eighty-three dollars;

Powell National Forest, Utah, two thousand five hundred and eighty-six dollars;

Prescott National Forest, Arizona, six thousand three hundred and seventy-six dollars;

Rainier National Forest, Washington, thirteen thousand five hundred and eighteen dollars;

Rio Grande National Forest, Colorado, ten thousand nine hundred and seventy-six dollars;

Routt National Forest, Colorado, eleven thousand six hundred and seventy-five dollars;

Ruby National Forest, Nevada, three thousand five hundred and eighty-three dollars;

Saint Joe National Forest, Idaho, twenty-seven thousand six hundred and twenty-four dollars;

Salmon National Forest, Idaho, twelve thousand one hundred and sixty-nine dollars;

San Isabel National Forest, Colorado, seven thousand three hundred and ninety-nine dollars;

San Juan National Forest, Colorado, nine thousand nine hundred and one dollars;

Santa Barbara National Forest, California, twelve thousand two hundred and seventy dollars;

Santa Rosa National Forest, Nevada, eight thousand four hundred dollars;

Santiam National Forest, Oregon, twelve thousand six hundred and twenty-seven dollars;

Sawtooth National Forest, Idaho, seven thousand two hundred and seventy-eight dollars;

Selway National Forest, Idaho, twenty thousand two hundred and sixty-five dollars;

Sequoia National Forest, California, fifteen thousand eight hundred and twenty-one dollars;

Sevier National Forest, Utah, four thousand three hundred and sixty-two dollars;

Shasta National Forest, California, twenty-four thousand five hundred and thirty-three dollars;

Shoshone National Forest, Wyoming, six thousand nine hundred and sixty-three dollars;

Sierra National Forest, California, thirteen thousand and forty-nine dollars;

Sioux National Forest, South Dakota and Montana, six thousand one hundred and eighteen dollars;

Siskiyou National Forest, Oregon and California, thirteen thousand two hundred and thirty-four dollars;

Sitgreaves National Forest, Arizona, fifteen thousand three hundred and ten dollars;

Siuslaw National Forest, Oregon, seven thousand nine hundred and eighty-nine dollars;

Snoqualmie National Forest, Washington, twenty-five thousand six hundred and five dollars;

Sopris National Forest, Colorado, nine thousand and forty-seven dollars;

Stanislaus National Forest, California, eighteen thousand five hundred and ninety-three dollars;

Sundance National Forest, Wyoming, three thousand seven hundred and eleven dollars;

Superior National Forest, Minnesota, thirteen thousand and ninety-nine dollars;

Tahoe National Forest, California and Nevada, twenty thousand one hundred and seventy-seven dollars;

Targhee National Forest, Idaho and Wyoming, twelve thousand three hundred and thirty-two dollars;

Teton National Forest, Wyoming, eight thousand eight hundred and twenty-five dollars;

Toiyabe National Forest, Nevada, eight thousand nine hundred and twenty-two dollars;

Tongass National Forest, Alaska, twenty-one thousand one hundred and sixty dollars;

Tonto National Forest, Arizona, ten thousand four hundred and twenty-nine dollars;

Trinity National Forest, California, twenty-nine thousand four hundred and eighty-three dollars;

Tusayan National Forest, Arizona, eleven thousand seven hundred and fifty-one dollars;

Uinta National Forest, Utah, six thousand seven hundred and forty-four dollars;

Umatilla National Forest, Oregon, eight thousand two hundred and seventeen dollars;

Umpqua National Forest, Oregon, thirteen thousand and seventy-six dollars;

Uncompahgre National Forest, Colorado, ten thousand and ninety-nine dollars;

Wallowa National Forest, Oregon, eleven thousand four hundred and seven dollars;

Wasatch National Forest, Utah, two thousand one hundred and eighty-three dollars;

Washakie National Forest, Wyoming, five thousand and fifty-seven dollars;

Washington National Forest, Washington, twelve thousand two hundred and ninety-eight dollars;

Weiser National Forest, Idaho, nine thousand one hundred and eighty-six dollars;

Wenaha National Forest, Washington and Oregon, seven thousand four hundred and forty-one dollars;

Wenatchee National Forest, Washington, eight thousand one hundred and eighty-eight dollars;

White River National Forest, Colorado, twelve thousand one hundred and twelve dollars;

Whitman National Forest, Oregon, sixteen thousand four hundred and eighty-nine dollars;

Wichita National Forest, Oklahoma, six thousand four hundred and thirty-six dollars;

Wyoming National Forest, Wyoming, nine thousand nine hundred and ninety-five dollars;

Zuni National Forest, New Mexico and Arizona, three thousand seven hundred and thirty-four dollars:

* * * * *

A proviso, here omitted, making the military reservation of Fort Wingate, New Mexico, a part of the Zuni National Forest, is set forth on p. 135, *ante*.

Additional national forests to be created under section eleven of the Act of March first, nineteen hundred and eleven (Thirty-sixth Statutes, page nine hundred and sixty-three), and lands under contract for purchase or for the acquisition of which condemnation proceedings have been instituted for the purposes of said Act, thirty-two thousand five hundred and ninety dollars;

That the Secretary of Agriculture is hereby directed and required to select, classify, and segregate, as soon as practicable, all lands within the boundaries of national forests that may be opened to settlement and entry under the homestead laws applicable to the national forests, and the sum of twenty-five thousand dollars is hereby appropriated for the purposes aforesaid.

For the expenditure under the direction of the Secretary of Agriculture for survey and listing of lands within forest reserves chiefly valuable for agriculture and describing the same by metes and bounds, or otherwise, as required by the Act of June eleventh, nineteen hundred and six, and the Act of March third, eighteen hundred and ninety-nine, thirty-five thousand dollars: *Provided, however,* That any such survey and the plat and field notes thereof paid for out of this appropriation shall be made by an employee of the Forest Service under the direction of the United States surveyor general,

* * *

A clause, here omitted, of the last proviso set forth, providing that no land listed under act June 11, 1906, c. 3074, shall pass from the forest until patent issues, is set forth on p. 139, *ante*.

A proviso, here omitted, authorizing the sale to homestead settlers and farmers of mature, dead, and down timber in national forests, is set forth on p. 92, *ante*.

For fighting forest fires and for other unforeseen emergencies, one hundred and fifty thousand dollars;

For the purchase and maintenance of necessary field, office, and laboratory supplies, instruments and equipment, one hundred and fifty-five thousand dollars;

For investigations of methods for wood distillation and for the preservative treatment of timber, for timber testing and the testing of such woods as may require test to ascertain if they be suitable for making paper, and for other investigations and experiments to promote economy in the use of forest products, one hundred and seventy thousand dollars, and the Secretary of Agriculture shall investigate the best methods of distillation of Douglas fir and other northwestern species of fir and timber, and ascertain the yields of distillates of various species, and the refining and commercial use of the distillates;

For experiments and investigations of range conditions within national forests, and of methods for improving the range by reseed-ing, regulation of grazing, and other means, twenty thousand one hundred and eighty dollars;

For the purchase of tree seed, cones, and nursery stock, for seeding and tree planting within national forests, and for experiments and investigations necessary for such seeding and tree planting, one hundred and sixty-five thousand six hundred and forty dollars: *Provided,* That the Secretary of Agriculture may procure such seed, cones, and nursery stock by open purchase without advertisements for proposals, whenever in his discretion such method is most economical and in the public interest, and when the cost thereof will not exceed five hundred dollars;

For silvicultural, dendrological, and other experiments and investigations independently or in cooperation with other branches of the Federal Government, with States and with individuals, to determine the best methods for the conservative management of forests and forest lands, eighty-three thousand seven hundred and twenty-eight dollars;

For market and other miscellaneous forest investigations, and for collating, digesting, recording, illustrating, and distributing the results of the experiments and investigations herein provided for, thirty-one thousand three hundred and sixty dollars;

For the construction and maintenance of roads, trails, bridges, fire lanes, telephone lines, cabins, fences, and other improvements necessary for the proper and economical administration, protection, and development of the national forests, four hundred thousand dollars;

Provided, That no part of the money herein appropriated shall be used to pay the transportation or traveling expenses of any forest officer or agent except he be traveling on business directly connected with the Forest Service and in furtherance of the works, aims, and objects specified and authorized in and by this appropriation: *Provided further*, That no part of this appropriation shall be paid or used for the purpose of paying for, in whole or in part, the preparation or publication of any newspaper or magazine article, but this shall not prevent the giving out to all persons without discrimination, including newspaper and magazine writers and publishers, of any facts or official information of value to the public.

That an additional ten per centum of all moneys received from the national forests during the fiscal year ending June thirtieth, nineteen hundred and twelve, shall be available at the end thereof, to be expended by the Secretary of Agriculture for the construction and maintenance of roads and trails within the national forests in the States from which such proceeds are derived; but the Secretary of Agriculture may, whenever practicable, in the construction and maintenance of such roads, secure the cooperation or aid of the proper State or Territorial authorities in the furtherance of any system of highways of which such roads may be made a part.

In all, for general expenses, three million one hundred and seven thousand two hundred and eighty-five dollars.

Not to exceed fifteen per centum of the total of all sums appropriated under "General expenses, Forest Service," may be used in the discretion of the Secretary of Agriculture as provided above under general expenses for Forest Service for all expenses necessary for the general administration of the Forest Service.

Total for Forest Service, five million three hundred and forty-three thousand and forty-five dollars.

Act August 10, 1912, c. 284, 37 Stat. 279.

* * * * *

FIGHTING AND PREVENTING FOREST FIRES IN EMERGENCY: For fighting and preventing forest fires in cases of extraordinary emergency, two hundred thousand dollars, or so much thereof as may be necessary.

Act August 10, 1912, c. 284, 37 Stat. 300.

These are provisions of the agricultural appropriation act for the fiscal year 1913, cited above.

* * * * *

A provision, here omitted, appropriating and making available until expended so much of the maximum sums mentioned in act March 1, 1911, c. 186, s. 3, for the fiscal years 1912 to 1915, inclusive, as shall remain unexpended at the close of each of said fiscal years, is set forth on p. 102, *ante*.

BUREAU OF CHEMISTRY.

ACT JUNE 3, 1902, c. 985. (32 Stat. 286.)

Establishment of bureau.

All existing statutes relating to the Division of Chemistry, reorganized into the Bureau of Chemistry, not otherwise repealed, are continued in effect as applying to said bureau, by a proviso annexed to the agricultural appropriation act for the fiscal year 1903, cited above, set forth on p. 11, *ante*.

ACT MARCH 2, 1901, c. 805. (31 Stat. 922.)

Chief of bureau.

* * * One chemist, who shall be chief of bureau, * * *.

Act March 2, 1901, c. 805, 31 Stat. 930.

This is a provision of the agricultural appropriation act for the fiscal year 1902, cited above. Provisions in the same words are contained in the similar acts for subsequent fiscal years. The provision in the act for the fiscal year 1913 is set forth on p. 195, *post*. Previous to the reorganization of the Division of Chemistry into the Bureau of Chemistry, by a provision of act June 3, 1902, c. 985, set forth on p. 11, *ante*, the agricultural appropriation acts, for the fiscal years 1896 to 1901, inclusive, contained provisions for "One chemist, who shall be chief of division."

ACT AUGUST 30, 1890, c. 839. (26 Stat. 414.)

Importation of adulterated food, drugs, or liquors prohibited; penalty.

SEC. 2. That it shall be unlawful to import into the United States any adulterated or unwholesome food or drug or any vinous, spirituous or malt liquors, adulterated or mixed with any poisonous or noxious chemical drug or other ingredient injurious to health. Any person who shall knowingly import into the United States any such adulterated food or drug, or drink, knowing or having reasons to believe the same to be adulterated, being the owner or the agent of the owner, or the consignor or consignee of the owner, or in privity with them, assisting in such unlawful act, shall be deemed guilty of a misdemeanor, and liable to prosecution therefor in the district court of the United States for the district into which such property is imported; and, on conviction, such person shall be fined in a sum not exceeding one thousand dollars for each separate shipment, and may be imprisoned by the court for a term not exceeding one year, or both, at the discretion of the court.

Act August 30, 1890, c. 839, s. 2, 26 Stat. 415.

Forfeiture of imported adulterated food, drugs, or liquors; proceedings; destruction or exportation of imported goods; inspection of imported articles.

SEC. 3. That any article designed for consumption as human food or drink, and any other article of the classes or description mentioned in this act, which shall be imported into the United States contrary to its provisions, shall be forfeited to the United States, and shall be proceeded against under the provisions of chapter eighteen of title thirteen of the Revised Statutes of the United States; and such imported property so declared forfeited may be destroyed or returned to the importer for exportation from the United States after the payment of all costs and expenses, under such regulations as the Secretary of the Treasury may prescribe; and the Secretary of the Treasury may cause such imported articles to be inspected or examined in

order to ascertain whether the same have been so unlawfully imported.

Act August 30, 1890, c. 839, s. 3, 26 Stat. 415.

Provisions for the inspection of samples of imported foods, drugs, liquors, etc., and the disposition of adulterated or misbranded articles, contained in the agricultural appropriation acts for the fiscal year 1907, act June 30, 1906, c. 3913, and in act June 30, 1906, c. 3915, s. 11, are set forth below.

Suspension of importation of adulterated articles.

SEC. 4. That whenever the President is satisfied that there is a good reason to believe that any importation is being made, or is about to be made, into the United States, from any foreign country, of any article used for human food or drink that is adulterated to an extent dangerous to the health or welfare of the people of the United States, or any of them, he may issue his proclamation suspending the importation of such articles from such country for such period of time as he may think necessary to prevent such importation; and during such period it shall be unlawful to import into the United States from the countries designated in the proclamation of the President any of the articles importation of which is so suspended.

Act August 30, 1890, c. 839, s. 4, 26 Stat. 415.

Suspension of importation from countries making unjust discriminations.

SEC. 5. That whenever the President shall be satisfied that unjust discriminations are made by or under the authority of any foreign state against the importation to or sale in such foreign state of any product of the United States, he may direct that such products of such foreign state so discriminating against any product of the United States as he may deem proper shall be excluded from importation to the United States; and in such case he shall make proclamation of his direction in the premises, and therein name the time when such direction against importation shall take effect, and after such date the importation of the articles named in such proclamation shall be unlawful. The President may at any time revoke, modify, terminate, or renew any such direction as, in his opinion, the public interest may require.

Act August 30, 1890, c. 839, s. 5, 26 Stat. 415.

These are sections of "An act providing for an inspection of meats for exportation, prohibiting the importation of adulterated articles of food and drink, and authorizing the President to make proclamation in certain cases, and for other purposes," cited above. Section 1 of this act, relating to the inspection and certification of salted pork and bacon for exportation, and sections 6-10, relating to the importation, quarantine, and inspection of diseased or infected cattle, etc., are set forth above, under "Bureau of Animal Industry."

Provisions prohibiting the introduction into any State, etc., of dairy or food products misbranded as to State, etc., of production, etc., and providing a penalty for violation thereof, are contained in act July 1, 1902, c. 1357, set forth below.

More comprehensive provisions for preventing the manufacture, sale, or transportation, as well as the importation, of adulterated or misbranded foods or drugs, etc., are contained in act June 30, 1906, c. 3915, set forth below.

ACT JUNE 30, 1906, c. 3913. (34 Stat. 669.)

Importation of adulterated food, drugs, and liquors; inspection and analysis of specimens.

* * * to investigate the composition, adulteration, false labeling, or false branding of foods, drugs, beverages, condiments, and in-

gredients of such articles, when deemed by the Secretary of Agriculture advisable, * * * And the Secretary of Agriculture, whenever he has reason to believe that any articles are being imported from foreign countries which are dangerous to the health of the people of the United States, or which shall be falsely labeled or branded either as to their contents or as to the place of their manufacture or production, shall make a request upon the Secretary of the Treasury for samples from original packages of such articles for inspection and analysis, and the Secretary of the Treasury is hereby authorized to open such original packages and deliver specimens to the Secretary of Agriculture for the purpose mentioned, giving notice to the owner or consignee of the sampling of such articles, who may be present and have the right to introduce testimony before the Secretary of Agriculture, or his representative, either in person or by agent, concerning the suitability of such articles for entry; and the Secretary of the Treasury shall refuse delivery to the consignee of any such goods which the Secretary of Agriculture reports to him have been inspected and analyzed and found to be dangerous to health or falsely labeled or branded, either as to their contents or as to the place of their manufacture or production, or which are forbidden entry or to be sold, or are restricted in sale in the countries in which they are made or from which they are exported.

Act June 30, 1906, c. 3913, 34 Stat. 685.

These are provisions of the agricultural appropriation act for the fiscal year 1907, cited above. Similar provisions are contained in the similar appropriation act for the fiscal year 1902 and are repeated with minor changes in the acts for intervening fiscal years.

Previous provisions for the inspection of imported foods, drugs, or liquors, and the forfeiture of adulterated or misbranded articles, are contained in act August 30, 1890, c. 839, s. 1, set forth above. Subsequent provisions for the examination of samples of imported foods and drugs, and the disposition of adulterated or misbranded articles, are contained in act June 30, 1906, c. 3915, set forth below, with other comprehensive provisions of said act for preventing the manufacture, sale, or transportation, as well as the importation, of adulterated or misbranded foods, drugs, etc.

ACT JULY 1, 1902, c. 1357. An act to prevent a false branding or marking of food and dairy products as to the State or Territory in which they are made or produced. (32 Stat. 632.)

Introduction into any State or Territory, etc., from any other State or Territory, etc., of dairy or food products falsely labeled or branded as to State or Territory in which they are made, produced, or grown, forbidden.

That no person or persons, company or corporation, shall introduce into any State or Territory of the United States or the District of Columbia from any other State or Territory of the United States or the District of Columbia, or sell in the District of Columbia or in any Territory any dairy or food products which shall be falsely labeled or branded as to the State or Territory in which they are made, produced, or grown, or cause or procure the same to be done by others.

Act July 1, 1902, c. 1357, s. 1, 32 Stat. 632.

Violation of act; penalty; jurisdiction of prosecutions.

SEC. 2. That if any person or persons violate the provisions of this Act, either in person or through another, he shall be guilty of a

misdemeanor and shall be punished by a fine of not less than five hundred nor more than two thousand dollars; and that the jurisdiction for the prosecution of said misdemeanor shall be within the district of the United States court in which it is committed.

Act July 1, 1902, c. 1357, s. 2, 32 Stat. 632.

Previous provisions prohibiting the importation of adulterated foods, drugs, or liquors and providing a penalty for violation thereof, are contained in act August 30, 1890, c. 839, s. 1, set forth above.

More comprehensive provisions for preventing the manufacture, sale, and transportation or importation of adulterated, misbranded, etc., foods, drugs, etc., or liquors, are contained in act June 30, 1906, c. 3915, set forth below.

ACT JUNE 30, 1906, c. 3915. An act for preventing the manufacture, sale, or transportation of adulterated or misbranded or poisonous or deleterious foods, drugs, medicines, and liquors, and for regulating traffic therein, and for other purposes. (34 Stat. 768.)

Manufacture of adulterated or misbranded foods or drugs in Territories or District of Columbia, unlawful; violation of provisions a misdemeanor; punishment.

That it shall be unlawful for any person to manufacture within any Territory or the District of Columbia any article of food or drug which is adulterated or misbranded, within the meaning of this Act; and any person who shall violate any of the provisions of this section shall be guilty of a misdemeanor, and for each offense shall, upon conviction thereof, be fined not to exceed five hundred dollars or shall be sentenced to one year's imprisonment, or both such fine and imprisonment, in the discretion of the court, and for each subsequent offense and conviction thereof shall be fined not less than one thousand dollars or sentenced to one year's imprisonment, or both such fine and imprisonment, in the discretion of the court.

Act June 30, 1906, c. 3915, s. 1, 34 Stat. 768.

Interstate or foreign commerce in adulterated or misbranded foods or drugs prohibited; shipment, delivery, etc., of such articles a misdemeanor; punishment; articles for export.

SEC. 2. That the introduction into any State or Territory or the District of Columbia from any other State or Territory or the District of Columbia, or from any foreign country, or shipment to any foreign country of any article of food or drugs which is adulterated or misbranded, within the meaning of this Act, is hereby prohibited; and any person who shall ship or deliver for shipment from any State or Territory or the District of Columbia to any other State or Territory or the District of Columbia, or to a foreign country, or who shall receive in any State or Territory or the District of Columbia from any other State or Territory or the District of Columbia, or foreign country, and having so received, shall deliver, in original unbroken packages, for pay or otherwise, or offer to deliver to any other person, any such article so adulterated or misbranded within the meaning of this Act, or any person who shall sell or offer for sale in the District of Columbia or the Territories of the United States any such adulterated or misbranded foods or drugs, or export or offer to export the same to any foreign country, shall be guilty of a misdemeanor, and for such offense be fined not exceeding two hundred dollars for the first offense, and upon conviction for each subsequent offense not exceeding three hundred

dollars or be imprisoned not exceeding one year, or both, in the discretion of the court: *Provided*, That no article shall be deemed misbranded or adulterated within the provisions of this Act when intended for export to any foreign country and prepared or packed according to the specifications or directions of the foreign purchaser when no substance is used in the preparation or packing thereof in conflict with the laws of the foreign country to which said article is intended to be shipped; but if said article shall be in fact sold or offered for sale for domestic use or consumption, then this proviso shall not exempt said article from the operation of any of the other provisions of this Act.

Act June 30, 1906, c. 3915, s. 2, 34 Stat. 768.

Previous provisions prohibiting the introduction into any State or Territory or the District of Columbia, from any other State, etc., or the sale in the District of Columbia or any Territory, of dairy or food products falsely labeled or branded as to the State or Territory in which they are made, etc., and providing a penalty for violation thereof, are contained in act July 1, 1902, c. 1357, set forth above.

Regulations for carrying out provisions of act; collection and examination of specimens of foods and drugs.

SEC. 3. That the Secretary of the Treasury, the Secretary of Agriculture, and the Secretary of Commerce and Labor shall make uniform rules and regulations for carrying out the provisions of this Act, including the collection and examination of specimens of foods and drugs manufactured or offered for sale in the District of Columbia, or in any Territory of the United States, or which shall be offered for sale in unbroken packages in any State other than that in which they shall have been respectively manufactured or produced, or which shall be received from any foreign country, or intended for shipment to any foreign country, or which may be submitted for examination by the chief health, food, or drug officer of any State, Territory, or the District of Columbia, or at any domestic or foreign port through which such product is offered for interstate commerce, or for export or import between the United States and any foreign port or country.

Act June 30, 1906, c. 3915, s. 3, 34 Stat. 768.

Making of examinations of specimens of foods and drugs; notice of adulteration or misbranding to party, and hearing thereon; certification of violations of act to district attorneys; notice by publication of judgment of court.

SEC. 4. That the examinations of specimens of foods and drugs shall be made in the Bureau of Chemistry of the Department of Agriculture, or under the direction and supervision of such Bureau, for the purpose of determining from such examinations whether such articles are adulterated or misbranded within the meaning of this Act; and if it shall appear from any such examination that any of such specimens is adulterated or misbranded within the meaning of this Act, the Secretary of Agriculture shall cause notice thereof to be given to the party from whom such sample was obtained. Any party so notified shall be given an opportunity to be heard, under such rules and regulations as may be prescribed as aforesaid, and if it appears that any of the provisions of this Act have been violated by such party, then the Secretary of Agriculture shall at once certify

the facts to the proper United States district attorney, with a copy of the results of the analysis or the examination of such article duly authenticated by the analyst or officer making such examination, under the oath of such officer. After judgment of the court, notice shall be given by publication in such manner as may be prescribed by the rules and regulations aforesaid.

Act June 30, 1906, c. 3915, s. 4, 34 Stat. 769.

Duty of district attorneys to prosecute for violations of act.

SEC. 5. That it shall be the duty of each district attorney to whom the Secretary of Agriculture shall report any violation of this Act, or to whom any health or food or drug officer or agent of any State, Territory, or the District of Columbia shall present satisfactory evidence of any such violation, to cause appropriate proceedings to be commenced and prosecuted in the proper courts of the United States, without delay, for the enforcement of the penalties as in such case herein provided.

Act June 30, 1906, c. 3915, s. 5, 34 Stat. 769.

Definition of terms "drug" and "food" as used in act.

SEC. 6. That the term "drug," as used in this Act, shall include all medicines and preparations recognized in the United States Pharmacopœia or National Formulary for internal or external use, and any substance or mixture of substances intended to be used for the cure, mitigation, or prevention of disease of either man or other animals. The term "food," as used herein, shall include all articles used for food, drink, confectionery, or condiment by man or other animals, whether simple, mixed, or compound.

Act June 30, 1906, c. 3915, s. 6, 34 Stat. 769.

Articles deemed adulterated.

SEC. 7. That for the purposes of this Act an article shall be deemed to be adulterated:

Drugs.

In case of drugs:

Difference from recognized standard; statement on bottle, box, etc., as to different standard.

First. If, when a drug is sold under or by a name recognized in the United States Pharmacopœia or National Formulary, it differs from the standard of strength, quality, or purity, as determined by the test laid down in the United States Pharmacopœia or National Formulary official at the time of investigation: *Provided*, That no drug defined in the United States Pharmacopœia or National Formulary shall be deemed to be adulterated under this provision if the standard of strength, quality, or purity be plainly stated upon the bottle, box, or other container thereof although the standard may differ from that determined by the test laid down in the United States Pharmacopœia or National Formulary.

Below professed standard.

Second. If its strength or purity fall below the professed standard or quality under which it is sold.

Confectionery.

In the case of confectionery:

Mineral substances, poisonous color or flavors, other deleterious, etc., ingredients, liquors, etc., or narcotic drugs.

If it contain terra alba, barytes, talc, chrome yellow, or other mineral substance or poisonous color or flavor, or other ingredient deleterious or detrimental to health, or any vinous, malt or spirituous liquor or compound or narcotic drug.

Food.

In the case of food:

Injurious mixtures.

First. If any substance has been mixed and packed with it so as to reduce or lower or injuriously affect its quality or strength.

Substitutes.

Second. If any substance has been substituted wholly or in part for the article.

Valuable constituents abstracted.

Third. If any valuable constituent of the article has been wholly or in part abstracted.

Damage or inferiority concealed.

Fourth. If it be mixed, colored, powdered, coated, or stained in a manner whereby damage or inferiority is concealed.

Poisonous or other deleterious ingredients added; preservatives of food products for shipment, necessarily removed when products ready for consumption.

Fifth. If it contain any added poisonous or other added deleterious ingredient which may render such article injurious to health: *Provided*, That when in the preparation of food products for shipment they are preserved by any external application applied in such manner that the preservative is necessarily removed mechanically, or by maceration in water, or otherwise, and directions for the removal of said preservative shall be printed on the covering or the package, the provisions of this Act shall be construed as applying only when said products are ready for consumption.

Filthy, etc., substances, portions of animals unfit for food, and products of animals diseased or having died otherwise than by slaughter.

Sixth. If it consists in whole or in part of a filthy, decomposed, or putrid animal or vegetable substance, or any portion of an animal unfit for food, whether manufactured or not, or if it is the product of a diseased animal, or one that has died otherwise than by slaughter.

Act June 30, 1906, c. 3915, s. 7, 34 Stat. 769.

Definition of term "misbranded" as used in act.

SEC. 8. That the term "misbranded," as used herein, shall apply to all drugs, or articles of food, or articles which enter into the composition of food, the package or label of which shall bear any statement, design, or device regarding such article, or the ingredients or substances contained therein which shall be false or misleading in any particular, and to any food or drug product which is falsely branded as to the State, Territory, or country in which it is manufactured or produced.

That for the purposes of this Act an article shall also be deemed to be misbranded:

Drugs.

In case of drugs:

Imitation or use of name of other article.

First. If it be an imitation of or offered for sale under the name of another article.

Removal and substitution of contents of package, or failure to state on label quantity or proportion of alcohol, morphine, etc., or other narcotics contained therein.

Second. If the contents of the package as originally put up shall have been removed, in whole or in part, and other contents shall have been placed in such package, or if the package fail to bear a statement on the label of the quantity or proportion of any alcohol, morphine, opium, cocaine, heroin, alpha or beta eucaine, chloroform, cannabis indica, chloral hydrate, or acetanilide, or any derivative or preparation of any such substances contained therein.

False and fraudulent statement, etc., as to curative or therapeutic properties.

Third. If its package or label shall bear or contain any statement, design, or device regarding the curative or therapeutic effect of such article or any of the ingredients or substances contained therein, which is false and fraudulent.

Foods.

In case of food:

Imitation or use of name of other article.

First. If it be an imitation of or offered for sale under the distinctive name of another article.

False label or brand, etc., removal and substitution of contents of package, or failure to state on label quantity or proportion of morphine or other narcotics, etc., contained therein.

Second. If it be labeled or branded so as to deceive or mislead the purchaser, or purport to be a foreign product when not so, or if the contents of the package as originally put up shall have been removed in whole or in part and other contents shall have been placed in such package, or if it fail to bear a statement on the label of the quantity or proportion of any morphine, opium, cocaine, heroin, alpha or beta eucaine, chloroform, cannabis indica, chloral hydrate, or acetanilide, or any derivative or preparation of any of such substances contained therein.

Incorrect statement on package of weight or measure of contents.

Third. If in package form, and the contents are stated in terms of weight or measure, they are not plainly and correctly stated on the outside of the package.

False or misleading statements, etc., on package or its label as to ingredients or substances contained therein; proviso as to certain mixtures and compounds not containing added poisonous or deleterious ingredients.

Fourth. If the package containing it or its label shall bear any statement, design, or device regarding the ingredients or the substances contained therein, which statement, design, or device shall be false or misleading in any particular: *Provided*, That an article of

food which does not contain any added poisonous or deleterious ingredients shall not be deemed to be adulterated or misbranded in the following cases:

Mixtures or compounds under distinctive names.

First. In the case of mixtures or compounds which may be now or from time to time hereafter known as articles of food, under their own distinctive names, and not an imitation of or offered for sale under the distinctive name of another article, if the name be accompanied on the same label or brand with a statement of the place where said article has been manufactured or produced.

Articles labeled, branded, etc., as compounds, imitations, or blends; construction of term "blend"; exemption from disclosure of trade formulas of proprietary foods.

Second. In the case of articles labeled, branded, or tagged so as to plainly indicate that they are compounds, imitations, or blends, and the word "compound," "imitation," or "blend," as the case may be, is plainly stated on the package in which it is offered for sale: *Provided*, That the term blend as used herein shall be construed to mean a mixture of like substances, not excluding harmless coloring or flavoring ingredients used for the purpose of coloring and flavoring only: *And provided further*, That nothing in this Act shall be construed as requiring or compelling proprietors or manufacturers of proprietary foods which contain no unwholesome added ingredient to disclose their trade formulas, except in so far as the provisions of this Act may require to secure freedom from adulteration or misbranding.

Act June 30, 1906, c. 3915, s. 8, 34 Stat. 770, as amended by "An act to amend section eight of the food and drugs act approved June thirtieth, nineteen hundred and six," act August 23, 1912, c. 352, 37 Stat. 416. The section is amended by the act cited, to read as above, by adding to that part defining what shall be misbranding in the case of drugs, the third paragraph, relating to false and fraudulent statements, etc., as to curative or therapeutic properties.

Guaranty signed by wholesaler, jobber, manufacturer, etc., as protection to dealer from prosecution under provisions of act.

SEC. 9. That no dealer shall be prosecuted under the provisions of this Act when he can establish a guaranty signed by the wholesaler, jobber, manufacturer, or other party residing in the United States, from whom he purchases such articles, to the effect that the same is not adulterated or misbranded within the meaning of this Act, designating it. Said guaranty, to afford protection, shall contain the name and address of the party or parties making the sale of such articles to such dealer, and in such case said party or parties shall be amenable to the prosecutions, fines, and other penalties which would attach, in due course, to the dealer under the provisions of this Act.

Act June 30, 1906, c. 3915, s. 9, 34 Stat. 771.

Seizure of articles adulterated or misbranded within act, in interstate or foreign commerce, etc., for condemnation; disposition of articles condemned and of proceeds thereof; delivery to owner on bond, etc.; proceedings for seizure and condemnation.

SEC. 10. That any article of food, drug, or liquor that is adulterated or misbranded within the meaning of this Act, and is being

transported from one State, Territory, District, or insular possession to another for sale, or, having been transported, remains unloaded, unsold, or in original unbroken packages, or if it be sold or offered for sale in the District of Columbia or the Territories, or insular possessions of the United States, or if it be imported from a foreign country for sale, or if it is intended for export to a foreign country, shall be liable to be proceeded against in any district court of the United States within the district where the same is found, and seized for confiscation by a process of libel for condemnation. And if such article is condemned as being adulterated or misbranded, or of a poisonous or deleterious character, within the meaning of this Act, the same shall be disposed of by destruction or sale, as the said court may direct, and the proceeds thereof, if sold, less the legal costs and charges, shall be paid into the Treasury of the United States, but such goods shall not be sold in any jurisdiction contrary to the provisions of this Act or the laws of that jurisdiction: *Provided, however,* That upon the payment of the costs of such libel proceedings and the execution and delivery of a good and sufficient bond to the effect that such articles shall not be sold or otherwise disposed of contrary to the provisions of this Act, or the laws of any State, Territory, District, or insular possession, the court may by order direct that such articles be delivered to the owner thereof. The proceedings of such libel cases shall conform, as near as may be, to the proceedings in admiralty, except that either party may demand trial by jury of any issue of fact joined in any such case, and all such proceedings shall be at the suit of and in the name of the United States.

Act June 30, 1906, c. 3915, s. 10, 34 Stat. 771.

Examination of samples of foods and drugs imported, etc., on notice to owner or consignee; refusal of admission and delivery to consignee of articles adulterated or misbranded, or dangerous to health, or forbidden entry or sale or restricted in sale in the country where made, etc.; delivery of goods to consignee pending examination and decision on bond, etc.; charges for storage, etc., on goods refused admission, and lien therefor against subsequent importation.

SEC. 11. The Secretary of the Treasury shall deliver to the Secretary of Agriculture, upon his request from time to time, samples of foods and drugs which are being imported into the United States or offered for import, giving notice thereof to the owner or consignee, who may appear before the Secretary of Agriculture, and have the right to introduce testimony, and if it appear from the examination of such samples that any article of food or drug offered to be imported into the United States is adulterated or misbranded within the meaning of this Act, or is otherwise dangerous to the health of the people of the United States, or is of a kind forbidden entry into, or forbidden to be sold or restricted in sale in the country in which it is made or from which it is exported, or is otherwise falsely labeled in any respect, the said article shall be refused admission, and the Secretary of the Treasury shall refuse delivery to the consignee and shall cause the destruction of any goods refused delivery which shall not be exported by the consignee within three months from the date of notice of such refusal under such regulations as the Secretary of the Treasury may prescribe: *Provided,* That the Secretary of the

Treasury may deliver to the consignee such goods pending examination and decision in the matter on execution of a penal bond for the amount of the full invoice value of such goods, together with the duty thereon, and on refusal to return such goods for any cause to the custody of the Secretary of the Treasury, when demanded, for the purpose of excluding them from the country, or for any other purpose, said consignee shall forfeit the full amount of the bond: *And provided further*, That all charges for storage, cartage, and labor on goods which are refused admission or delivery shall be paid by the owner or consignee, and in default of such payment shall constitute a lien against any future importation made by such owner or consignee.

Act June 30, 1906, c. 3915, s. 11, 34 Stat. 772.

Previous provisions somewhat similar to those of this section accompanied appropriations for the Bureau of Chemistry in the annual agricultural appropriation acts for the fiscal year 1907 and previous fiscal years, but are omitted from the acts for subsequent years. The provisions of the act for the fiscal year 1907, act June 30, 1906, c. 3913, are set forth on p. 185, *ante*.

Term "Territory" in act to include insular possessions; construction of word "person" in act; liability of corporations, etc., for acts, omissions, etc., of officers, agents, employees, etc.

SEC. 12. That the term "Territory" as used in this Act shall include the insular possessions of the United States. The word "person" as used in this Act shall be construed to import both the plural and the singular, as the case demands, and shall include corporations, companies, societies and associations. When construing and enforcing the provisions of this Act, the act, omission, or failure of any officer, agent, or other person acting for or employed by any corporation, company, society, or association, within the scope of his employment or office, shall in every case be also deemed to be the act, omission, or failure of such corporation, company, society, or association as well as that of the person.

Act June 30, 1906, c. 3915, s. 12, 34 Stat. 772.

Time of taking effect of act.

SEC. 13. That this Act shall be in force and effect from and after the first day of January, nineteen hundred and seven.

Act June 30, 1906, c. 3915, s. 13, 34 Stat. 772.

Annual appropriations for all expenses necessary to carry into effect the provisions of this act are made in the agricultural appropriation acts for the fiscal year 1908 and thereafter. The provision of the act for the fiscal year 1913 is set forth on p. 196, *post*.

ACT MAY 23, 1908, c. 192. (35 Stat. 251.)

Report to Congress of payments to State, county, or municipal officers, etc.

* * * That hereafter any sum used for compensation of or payment of expenses to any officer or other person employed by any State, county, or municipal government, shall be reported to Congress in detail, on the first Monday of December of each year.

Act May 23, 1908, c. 192, 35 Stat. 261.

This is a proviso annexed to appropriations for "General expenses, Bureau of Chemistry," in the agricultural appropriation act for the fiscal year 1909, cited above. A similar proviso, without the word "hereafter," accompanied the appropriations for the purposes mentioned in the similar appropriation act for the preceding fiscal year.

ACT AUGUST 10, 1912, c. 284. (37 Stat. 269.)

SALARIES, BUREAU OF CHEMISTRY: One chemist, who shall be chief of bureau, five thousand dollars; one chief clerk, two thousand dollars; one executive clerk, two thousand dollars; five clerks, class four; seven clerk, class three; one clerk, one thousand four hundred and forty dollars; twelve clerks, class two; one clerk, one thousand three hundred dollars; eighteen clerks, class one; thirteen clerks, at one thousand and twenty dollars each; eleven clerks, at one thousand dollars each; eighteen clerks, at nine hundred dollars each; one clerk, eight hundred and forty dollars; one assistant property custodian, nine hundred dollars; one chief food and drug inspector, three thousand dollars; one food and drug inspector, two thousand two hundred and fifty dollars; nine food and drug inspectors, at two thousand dollars each; thirteen food and drug inspectors, at one thousand eight hundred dollars each; one food and drug inspector, one thousand six hundred and twenty dollars; eleven food and drug inspectors, at one thousand six hundred dollars each; eight food and drug inspectors, at one thousand four hundred dollars each; two laboratory helpers, at one thousand two hundred dollars each; one laboratory helper, one thousand and twenty dollars; four laboratory helpers, at one thousand dollars each; four laboratory helpers, at nine hundred and sixty dollars each; two laboratory helpers, at nine hundred dollars each; six laboratory helpers, at eight hundred and forty dollars each; two laboratory helpers, at seven hundred and eighty dollars each; twenty laboratory helpers, messengers, or laborers, at seven hundred and twenty dollars each; two laboratory helpers, messengers, or laborers, at six hundred and sixty dollars each; twenty-four laboratory helpers, messengers, or laborers, at six hundred dollars each; one laboratory assistant, one thousand two hundred dollars; one tool maker, one thousand two hundred dollars; one janitor, one thousand and twenty dollars; one student assistant, three hundred dollars; two messengers, at eight hundred and forty dollars each; one skilled laborer, one thousand and fifty dollars; one skilled laborer, eight hundred and forty dollars; two messenger boys or laborers, at five hundred and forty dollars each; eight messenger boys or laborers, at four hundred and eighty dollars each; three messenger boys or laborers, at four hundred and twenty dollars each; one messenger boy or laborer, three hundred and sixty dollars; six charwomen, at two hundred and forty dollars each; in all, two hundred and fifty-four thousand six hundred and sixty dollars.

GENERAL EXPENSES, BUREAU OF CHEMISTRY: For necessary expenses in conducting the investigations contemplated by the Act of May fifteenth, eighteen hundred and sixty-two, relating to the application of chemistry to agriculture, and to continue collaboration with other departments of the Government desiring chemical investigations and whose heads request the Secretary of Agriculture for such assistance, and for other miscellaneous work, as follows:

For chemical apparatus, chemicals and supplies, repairs to apparatus, gas, electric current, official traveling expenses, telegraph and telephone service, express and freight charges, thirty thousand dollars;

For the employment of such assistants, clerks, and other persons as the Secretary of Agriculture may consider necessary for the purposes

named, in the city of Washington and elsewhere, in conducting investigations, collating and reporting the results of such investigations, and for the rent of buildings outside of the District of Columbia, fifty-five thousand dollars;

For investigating the character of the chemical and physical tests which are applied to American food products in foreign countries, and for inspecting the same before shipment when desired by the shippers or owners of these products intended for countries where chemical and physical tests are required before the said products are allowed to be sold therein, and for all necessary expenses in connection with such inspection and studies of methods of analysis in foreign countries, four thousand two hundred and eighty dollars;

In all, for general expenses, eighty-nine thousand two hundred and eighty dollars.

ENFORCEMENT OF THE FOOD AND DRUGS ACT: For enabling the Secretary of Agriculture to carry into effect the provisions of the Act of June thirtieth, nineteen hundred and six, entitled "An Act for preventing the manufacture, sale, or transportation of adulterated, or misbranded, or poisonous, or deleterious foods, drugs, medicines, and liquors, and for regulating traffic therein, and for other purposes," in the city of Washington and elsewhere, including chemical apparatus, chemicals and supplies, repairs to apparatus, gas, electric current, official traveling expenses, telegraph and telephone service, express and freight charges, and all other expenses, employing such assistants, clerks, and other persons as may be considered necessary for the purposes named, and rent outside of the District of Columbia, six hundred and twenty-five thousand dollars.

Total for Bureau of Chemistry, nine hundred and sixty-eight thousand nine hundred and forty dollars.

Act August 10, 1912, c. 284, 37 Stat. 288.

These are provisions of the agricultural appropriation act for the fiscal year 1913, cited above.

BUREAU OF SOILS.

ACT JUNE 3, 1902, c. 985. (32 Stat. 286.)

Establishment of bureau.

All existing statutes relating to the Division of Soils, reorganized into the Bureau of Soils, not otherwise repealed, are continued in effect as applying to the said bureau, by a proviso annexed to the agricultural appropriation act for the fiscal year 1903, cited above, set forth on p. 11, *ante*.

ACT MARCH 2, 1901, c. 805. (31 Stat. 922.)

Chief of bureau.

* * * One soil physicist who shall be Chief of Bureau, * * *

Act March 2, 1901, c. 805, 31 Stat. 931.

This is a provision of the agricultural appropriation act for the fiscal year 1902, cited above. Provisions in the same words are contained in the similar acts for subsequent fiscal years. The provision in the act for the fiscal year 1913 is set forth below.

ACT AUGUST 10, 1912, c. 284. (37 Stat. 269.)

SALARIES, BUREAU OF SOILS: One soil physicist, who shall be chief of bureau, four thousand dollars; one chief clerk, two thousand dol-

lars; one executive assistant, two thousand dollars; three clerks, class four; two clerks, class three; three clerks, class two; one clerk, one thousand two hundred and sixty dollars; eight clerks, class one; four clerks, at one thousand dollars each; three clerks, at nine hundred dollars each; one soil cartographer, one thousand eight hundred dollars; one soil bibliographer, one thousand four hundred dollars; one photographer, one thousand two hundred dollars; three draftsmen, at one thousand two hundred dollars each; one draftsman, one thousand dollars; one messenger, eight hundred and forty dollars; two messengers, messenger boys, or laborers, at four hundred and eighty dollars each; one laborer, six hundred dollars; one laborer, three hundred dollars; one charwoman or laborer, four hundred and eighty dollars; in all, fifty thousand five hundred and forty dollars.

GENERAL EXPENSES, BUREAU OF SOILS: For all necessary expenses connected with the investigations and experiments hereinafter authorized, including the employment of investigators, local and special agents, assistants, experts, clerks, draftsmen, and labor in the city of Washington and elsewhere; official traveling expenses, materials, tools, instruments, apparatus, repairs to apparatus, chemicals, furniture, office fixtures, stationery, gas, electric current, telegraph and telephone service, express and freight charges, rent outside of the District of Columbia, and for all other necessary supplies and expenses, as follows:

For chemical investigations of soil types, soil composition and soil minerals, the soil solution, solubility of soil and all chemical properties of soils in their relation to soil formation, soil texture, and soil productivity, including all routine chemical work in connection with the soil survey, eighteen thousand one hundred and thirty-five dollars;

For physical investigations of the important properties of soil which determine productivity, such as moisture relations, aeration, heat conductivity, texture, and other physical investigations of the various soil classes and soil types, eleven thousand two hundred and sixty-five dollars;

For soil-fertility investigations into organic causes of infertility and remedial measures, maintenance of productivity, properties and composition of soil humus, and the transformation and formation of soil humus by soil organisms, twenty-two thousand two hundred dollars;

For exploration and investigation within the United States to determine a possible source of supply of potash, nitrates, and other natural fertilizers, twenty-five thousand dollars;

For the investigation of the relation of soils to drainage and seepage waters, five thousand dollars;

For the investigation of soils and for indicating upon maps and plats, by coloring or otherwise, the results of such investigations, one hundred and sixty-five thousand dollars;

For general administrative expenses connected with the above-mentioned lines of investigation, four thousand two hundred and eighty dollars;

In all, for general expenses, two hundred and fifty thousand eight hundred and eighty dollars.

Total for Bureau of Soils, three hundred and one thousand four hundred and twenty dollars.

Act August 10, 1912, c. 284, 37 Stat. 290.

These are provisions of the agricultural appropriation act for the fiscal year 1913, cited above.

BUREAU OF ENTOMOLOGY.

ACT APRIL 23, 1904, c. 1486. (33 Stat. 276.)

Chief of bureau.

* * * One entomologist, who shall be chief of bureau, * * *

Act April 23, 1904, c. 1486, 33 Stat. 289.

This is a provision of the agricultural appropriation act for the fiscal year 1905, cited above. Provisions in the same words are contained in the similar acts for subsequent fiscal years. The provision in the act for the fiscal year 1913 is set forth on p. 200, *post*. The agricultural appropriation acts for the fiscal years 1896 to 1904, inclusive, contain provisions for "One entomologist, who shall be chief of division."

ACT JUNE 16, 1880, c. 235. (21 Stat. 259.)

Entomological investigations transferred to Department of Agriculture.

For the completion of the work of the United States Entomological Commission under the Department of the Interior in the special investigation of the Rocky Mountain locust or grasshopper and the cottonworm, * * * *Provided*, That after the close of the next fiscal year all work of the character herein provided for shall be exclusively under the control of the Agricultural Department, * * *

Act June 16, 1880, c. 235, 21 Stat. 276.

This is a provision of the sundry civil appropriation act for the fiscal year 1881, cited above.

ACT MARCH 3, 1905, c. 1501. An act to prohibit importation or interstate transportation of insect pests, and the use of the United States mails for that purpose. (33 Stat. 1269.)

Transportation, removal, or importation of insects injurious to crops, vegetables, trees, etc., except for scientific purposes, forbidden.

That no railroad, steamboat, express, stage, or other transportation company shall knowingly transport from one State or Territory into any other State or Territory, or from the District of Columbia into a State or Territory, or from a State or Territory into the District of Columbia, or from a foreign country into the United States, the gypsy moth, brown-tail moth, leopard moth, plum curculio, hop plant-louse, boll weevil, or any of them in a live state, or other insect in a live state which is notoriously injurious to cultivated crops, including vegetables, field crops, bush fruits, orchard trees, forest trees, or shade trees; or the eggs, pupæ, or larvæ of any insect injurious as aforesaid, except when shipped for scientific purposes under the regulations hereinafter provided for; nor shall any person remove from one State or Territory into another State or Territory, or from a foreign country into the United States, or from a State or Territory into the District of Columbia, or from the District of Columbia into any State or Territory, except for scientific purposes under the regulations hereinafter provided for, the gypsy moth, brown-tail moth, leopard moth, plum curculio, hop plant-louse, boll

weevil, or any of them in a live state, or other insect in a live state which is notoriously injurious to cultivated crops, including vegetables, field crops, bush fruits, orchard trees, forest trees, or shade trees; or the eggs, pupæ, or larvæ of any insect injurious as aforesaid.

Act March 3, 1905, c. 1501, s. 1, 33 Stat. 1269.

Letters, parcels, etc., containing insects injurious to crops, vegetables, trees, etc., nonmailable, except for scientific purposes; violations of section punishable.

SEC. 2. That any letter, parcel, box, or other package containing the gypsy moth, brown-tail moth, leopard moth, plum curculio, hop plant-louse, boll weevil, or any of them in a live state, or other insect in a live state which is notoriously injurious to cultivated crops, including vegetables, field crops, bush fruits, orchard trees, forest trees, or shade trees, or any letter, parcel, box, or package which contains the eggs, pupæ, or larvæ of any insect injurious as aforesaid, whether sealed as first-class matter or not, is hereby declared to be nonmailable matter, except when mailed for scientific purposes under the regulations hereinafter provided for, and shall not be conveyed in the mails, nor delivered from any post-office, nor by any letter carrier, except when mailed for scientific purposes under the regulations hereinafter provided for; and any person who shall knowingly deposit, or cause to be deposited, for mailing or delivery, anything declared by this section to be nonmailable matter, or cause the same to be taken from the mails for the purpose of retaining, circulating, or disposing of, or of aiding in the retention, circulation, or disposition of the same shall, for each and every offense, be fined, upon conviction thereof, not more than five thousand dollars or imprisoned at hard labor not more than five years, or both, at the discretion of the court: *Provided*, That nothing in this Act shall authorize any person to open any letter or sealed matter of the first-class not addressed to himself.

Act March 3, 1905, c. 1501, s. 2, 33 Stat. 1270.

Regulations for mailing, shipping, transportation, delivery, and removal, for scientific purposes, of insects, etc., within sections 1 and 2 of act.

SEC. 3. That it shall be the duty of the Secretary of Agriculture, and he is hereby authorized and directed to prepare and promulgate rules and regulations under which the insects covered by sections one and two of this Act may be mailed, shipped, transported, delivered, and removed, for scientific purposes, from one State or Territory into another State or Territory, or from the District of Columbia into a State or Territory, or from a State or Territory into the District of Columbia, and any insects covered by sections one and two of this Act may be so mailed, shipped, transported, delivered, and removed, for scientific purposes, under the rules and regulations of the Secretary of Agriculture: *Provided*, That the rules and regulations of the Secretary of Agriculture, in so far as they affect the method of mailing insects, shall be approved by the Postmaster-General, and nothing in this Act shall be construed to prevent any State from making and enforcing laws in furtherance of the purposes of this Act, prohibiting or regulating the admission into that State of insects from a foreign country.

Act March 3, 1905, c. 1501, s. 3, 33 Stat. 1270.

Violations of provisions of section 1 of act punishable.

SEC. 4. That any person, company, or corporation who shall knowingly violate the provisions of section one of this Act shall, for each offense, be fined, upon conviction thereof, not more than five thousand dollars or imprisoned at hard labor not more than five years, or both, at the discretion of the court.

Act March 3, 1905, c. 1501, s. 4, 33 Stat. 1270.

ACT AUGUST 10, 1912, c. 284. (37 Stat. 269.)

SALARIES, BUREAU OF ENTOMOLOGY: One entomologist, who shall be chief of bureau, four thousand five hundred dollars; one executive assistant, two thousand two hundred and fifty dollars; one chief clerk, one thousand eight hundred dollars; one clerk, class four; two clerks, class three; six clerks, class two; four clerks, class one; five clerks, at one thousand dollars each; two clerks, at nine hundred dollars each; one clerk, eight hundred and forty dollars; one superintendent of moth work, two thousand seven hundred and fifty dollars; one assistant superintendent of moth work, one thousand and eighty dollars; one entomological assistant, one thousand eight hundred dollars; two entomological draftsmen, at one thousand four hundred dollars each; one entomological draftsman, one thousand and eighty dollars; three foremen, at one thousand and eighty dollars each; two entomological preparators, at eight hundred and forty dollars each; one entomological preparator, seven hundred and twenty dollars; six entomological preparators, at six hundred dollars each; one messenger, eight hundred and forty dollars; two messengers or laborers, at seven hundred and twenty dollars each; one mechanic, eight hundred and forty dollars; one mechanic, seven hundred and fifty dollars; one laborer, five hundred and forty dollars; two charwomen, at four hundred and eighty dollars each; one charwoman, two hundred and forty dollars; in all, fifty-eight thousand seven hundred and fifty dollars.

GENERAL EXPENSES, BUREAU OF ENTOMOLOGY: For the promotion of economic entomology; for investigating the history and the habits of insects injurious and beneficial to agriculture, horticulture, and arboriculture, and ascertaining the best means of destroying those found to be injurious; for salaries and the employment of labor in the city of Washington and elsewhere, rent outside of the District of Columbia, freight, express charges, official traveling expenses, office fixtures, supplies, apparatus, telegraph and telephone service, gas, and electric current, in connection with the following investigations:

For investigations of insects affecting deciduous fruits, orchards, vineyards, nuts, and so forth, including investigations of the pear thrips, cranberry insects, and apple maggots, forty thousand six hundred dollars;

For investigations of insects affecting cereal and forage plants, including the alfalfa weevil, seventy-five thousand dollars, of which sum fifteen thousand dollars shall be immediately available;

For investigations of insects affecting southern field crops, including the cotton-boll weevil and other insects injurious to cotton, insects affecting tobacco, rice, and sugar cane, the Argentine ant, and life history studies of ticks, forty-seven thousand one hundred and sixty dollars;

For investigations of insects affecting forests, forty-four thousand seven hundred and fifty dollars;

For investigations of insects affecting truck crops, sugar beet, stored grains, and other stored products, thirty thousand dollars;

For investigations in bee culture, fifteen thousand dollars;

For investigations of insects affecting citrus fruits, including the white fly, orange thrips, and scale insects, twenty-one thousand five hundred dollars;

For investigations of the Mediterranean fly in the United States, its territories and possessions, thirty-five thousand dollars, which sum shall be immediately available;

For investigations of miscellaneous insects, inspection work, study of insects affecting the health of man and animals, insecticides, and the importation and exchange of useful insects, nineteen thousand seven hundred and forty dollars;

In all, for general expenses, three hundred and twenty-eight thousand seven hundred and fifty dollars.

PREVENTING SPREAD OF MOTHS: To enable the Secretary of Agriculture to meet the emergency caused by the continued spread of the gypsy and brown-tail moths by establishing and maintaining a quarantine against further spread in such manner as he shall deem best, in cooperation with the authorities of the different States concerned and with the several State experiment stations, including rent outside of the District of Columbia, the employment of labor in the city of Washington and elsewhere, and all other necessary expenses, two hundred and eighty-four thousand eight hundred and forty dollars.

Total for Bureau of Entomology, six hundred and seventy-two thousand three hundred and forty dollars.

Act August 10, 1912, c. 284, 37 Stat. 291.

These are provisions of the agricultural appropriation act for the fiscal year 1913, cited above.

RES. JULY 30, 1912, No. 35. Joint resolution making appropriation to be used in exterminating the army worm. (37 Stat. 640.)

Extermination of army worm.

That the sum of five thousand dollars, or so much thereof as may be necessary, is hereby appropriated, out of any moneys in the Treasury not otherwise appropriated, to be used by the Secretary of Agriculture in exterminating a dangerous pest commonly called the army worm, now devastating crops in various sections of the United States.

Res. July 30, 1912, No. 35, 37 Stat. 640.

BUREAU OF BIOLOGICAL SURVEY.

ACT MARCH 3, 1905, c. 1405. (33 Stat. 861.)

Chief of bureau.

* * * One biologist, who shall be chief of Bureau, * * *.

Act March 3, 1905, c. 1405, 33 Stat. 877.

This is a provision of the agricultural appropriation act for the fiscal year 1906, cited above. Provisions in the same words are contained in the similar acts for subsequent fiscal years. The provision in the act for the fiscal year 1913 is set forth on p. 226, *post*. The agricultural appropriation acts for the fiscal years 1897 to 1905, inclusive, contain provisions for "One biologist, who shall be chief of division."

ACT MAY 25, 1900, c. 553. An act to enlarge the powers of the Department of Agriculture, prohibit the transportation by interstate commerce of game killed in violation of local laws, and for other purposes. (31 Stat. 187.)

Preservation, distribution, introduction, and restoration of game birds and other wild birds; collection and publication of information as to propagation, uses, and preservation of such birds; regulation for carrying out purposes of act.

That the duties and powers of the Department of Agriculture are hereby enlarged so as to include the preservation, distribution, introduction, and restoration of game birds and other wild birds. The Secretary of Agriculture is hereby authorized to adopt such measures as may be necessary to carry out the purposes of this Act and to purchase such game birds and other wild birds as may be required therefor, subject, however, to the laws of the various States and Territories. The object and purpose of this Act is to aid in the restoration of such birds in those parts of the United States adapted thereto where the same have become scarce or extinct, and also to regulate the introduction of American or foreign birds or animals in localities where they have not heretofore existed.

The Secretary of Agriculture shall from time to time collect and publish useful information as to the propagation, uses, and preservation of such birds.

And the Secretary of Agriculture shall make and publish all needful rules and regulations for carrying out the purposes of this Act, and shall expend for said purposes such sums as Congress may appropriate therefor.

Act May 25, 1900, c. 553, s. 1, 31 Stat. 187.

The provisions of sections 2-4 of this act are incorporated in "An act to codify, revise, and amend the penal laws of the United States," act March 4, 1909, c. 321, ss. 241-244, set forth below, and said sections of this act are expressly repealed by section 341 of said act March 4, 1909.

Act June 3, 1902, c. 983, 32 Stat. 285, provides that the Secretary of Agriculture shall have the power to authorize the importation of eggs of game birds for propagation, and prescribe necessary rules and regulations governing the same. Said act is superseded by provisions of act August 5, 1909, c. 6, 36 Stat. 75, prohibiting the importation of eggs of game birds and eggs of birds not used for food, except scientific specimens, and authorizing the importation of game birds under rules and regulations prescribed by the Secretary of the Treasury.

Bodies of game animals and game and song birds subject to laws of State, etc., into which transported.

SEC. 5. That all dead bodies, or parts thereof, of any foreign game animals, or game or song birds, the importation of which is prohibited, or the dead bodies, or parts thereof, of any wild game animals, or game or song birds transported into any State or Territory, or remaining therein for use, consumption, sale, or storage therein, shall upon arrival in such State or Territory be subject to the operation and effect of the laws of such State or Territory enacted in the exercise of its police powers, to the same extent and in the same manner as though such animals or birds had been produced in such State or Territory, and shall not be exempt therefrom by reason of being introduced therein in original packages or otherwise. This Act shall not prevent the importation, transportation, or sale of birds or bird plumage manufactured from the feathers of barnyard fowl.

Act May 25, 1900, c. 553, s. 5, 31 Stat. 188.

This section is partially incorporated in "An act to codify, revise, and amend the penal laws of the United States," act March 4, 1909, c. 321,

s. 242, set forth below, and the above section is not included with other sections of this act expressly repealed by section 341 of said act March 4, 1909.

ACT MARCH 4, 1909, c. 321. (35 Stat. 1088.)

Importation of certain injurious animals and birds forbidden; permits for foreign wild animals and birds; specimens for museums, etc.

SEC. 241. The importation into the United States, or any Territory or District thereof, of the mongoose, the so-called "flying foxes" or fruit bats, the English sparrow, the starling, and such other birds and animals as the Secretary of Agriculture may from time to time declare to be injurious to the interests of agriculture or horticulture, is hereby prohibited; and all such birds and animals shall, upon arrival at any port of the United States, be destroyed or returned at the expense of the owner. No person shall import into the United States or into any Territory or District thereof, any foreign wild animal or bird, except under special permit from the Secretary of Agriculture: *Provided*, That nothing in this section shall restrict the importation of natural history specimens for museums or scientific collections, or of certain cage birds, such as domesticated canaries, parrots, or such other birds as the Secretary of Agriculture may designate. The Secretary of the Treasury is hereby authorized to make regulations for carrying into effect the provisions of this section.

Act March 4, 1909, c. 321, s. 241, 35 Stat. 1137.

This section is a part of "An act to codify, revise, and amend the penal laws of the United States," cited above, incorporating therein the provisions of section 2 of act May 25, 1900, c. 553, 31 Stat. 188, which section is expressly repealed by section 341 of this act.

See note on appropriation for enforcement of this section under section 244 of this act set forth below.

Interstate transportation of animals and birds illegally imported and game killed in violation of laws of States, etc., unlawful; game in season and feathers of barnyard fowls excepted.

SEC. 242. It shall be unlawful for any person to deliver to any common carrier for transportation, or for any common carrier to transport from any State, Territory, or District of the United States, to any other State, Territory, or District thereof, any foreign animals or birds, the importation of which is prohibited, or the dead bodies or parts thereof of any wild animals or birds, where such animals or birds have been killed or shipped in violation of the laws of the State, Territory, or district in which the same were killed, or from which they were shipped: *Provided*, That nothing herein shall prevent the transportation of any dead birds or animals killed during the season when the same may be lawfully captured, and the export of which is not prohibited by law in the State, Territory, or District in which the same are captured or killed: *Provided further*, That nothing herein shall prevent the importation, transportation, or sale of birds or bird plumage manufactured from the feathers of barnyard fowls.

Act March 4, 1909, c. 321, s. 242, 35 Stat. 1137.

This section is a part of "An act to codify, revise, and amend the penal laws of the United States," cited above, incorporating therein provisions of sections 3 and 5 of act May 25, 1900, c. 553, 31 Stat. 188. Section 3 of said act is expressly repealed by section 341 of said act March 4, 1909.

See note on appropriation for enforcement of this section under section 244 of this act set forth below.

Marking of packages containing bodies or plumage of game animals or game or other wild birds.

SEC. 243. All packages containing the dead bodies, or the plumage, or parts thereof, of game animals, or game or other wild birds, when shipped in interstate or foreign commerce, shall be plainly and clearly marked, so that the name and address of the shipper, and the nature of the contents, may be readily ascertained on an inspection of the outside of such package.

Act March 4, 1909, c. 321, s. 243, 35 Stat. 1137.

This section is a part of "An act to codify, revise, and amend the penal laws of the United States," cited above, incorporating therein provisions of section 4 of act May 25, 1900, c. 553, 31 Stat. 188, which section is expressly repealed by section 341 of said act March 4, 1909.

See note on appropriation for enforcement of this section under section 244 of this act set forth below.

Penalty for violations of sections 241-244.

SEC. 244. For each evasion or violation of any provision of the three sections last preceding, the shipper shall be fined not more than two hundred dollars; the consignee knowingly receiving such articles so shipped and transported in violation of said sections shall be fined not more than two hundred dollars; and the carrier knowingly carrying or transporting the same in violation of said sections shall be fined not more than two hundred dollars.

Act March 4, 1909, c. 321, s. 244, 35 Stat. 1138.

This section is a part of "An act to codify, revise, and amend the penal laws of the United States," cited above, incorporating therein provisions of section 4 of act May 25, 1900, c. 553, 31 Stat. 188, which section is expressly repealed by section 341 of said act March 4, 1909.

Appropriations for the enforcement of this and the three preceding sections of this act are made in the agricultural appropriation acts for the fiscal years 1911 and thereafter. The provisions of the act for the fiscal year 1913 are set forth on p. 226, *post*. Previous to the incorporation of sections 2-4 of act May 25, 1900, in this and the three preceding sections of this act, appropriations were made in the agricultural appropriation acts for the enforcement of sections 2-5 of that act.

ACT MAY 11, 1908, c. 162. An act to amend an act entitled "An Act for the protection of game in Alaska, and for other purposes," approved June seventh, nineteen hundred and two. (35 Stat. 102.)

Destruction of game animals or birds in Alaska, with certain exceptions, prohibited; "game animals" defined; laws relating to fur seal, etc., not affected by act; game killed during close season not to be shipped or sold.

That an Act entitled "An Act for the protection of game in Alaska, and for other purposes," approved June seventh, nineteen hundred and two, be amended to read as follows:

"From and after the passage of this Act the wanton destruction of wild game animals or wild birds, except eagles, ravens, and cormorants, the destruction of nests and eggs of such birds, or the killing of any wild birds, other than game birds, except eagles, for the purposes of selling the same or the skins or any part thereof, except as hereinafter provided, is hereby prohibited.

"**GAME DEFINED.**—The term 'game animals' shall include deer, moose, caribou, mountain sheep, mountain goats, brown bear, sea lions, and walrus. The term 'game birds' shall include waterfowl,

commonly known as ducks, geese, brant, and swans; shore birds, commonly known as plover, snipe, and curlew, and the several species of grouse and ptarmigan.

"EXEMPTIONS.—Nothing in this Act shall affect any law now in force in Alaska relating to the fur seal, sea otter, or any fur-bearing animal or prevent the killing of any game animal or bird for food or clothing at any time by natives, or by miners or explorers, when in need of food; but the game animals or birds so killed during close season shall not be shipped or sold.

Act May 11, 1908, c. 162, s. 1, 35 Stat. 102.

Killing of game animals or birds in Alaska, unlawful, except during open seasons; open seasons for certain animals in different latitudes; regulations prohibiting sale of game, modifying close seasons, placing further restrictions on killing of animals or birds, or prohibiting killing entirely for certain period.

"SEC. 2. SEASON.—That it shall be unlawful for any person in Alaska to kill any wild game animals or birds, except during the season hereinafter provided: North of latitude sixty-two degrees, brown bear may be killed at any time; moose, caribou, sheep, walrus, and sea lions from August first to December tenth, both inclusive; south of latitude sixty-two degrees, moose, caribou, and mountain sheep from August twentieth to December thirty-first, both inclusive; brown bear from October first to July first, both inclusive; deer and mountain goats from April first to February first, both inclusive; grouse, ptarmigan, shore birds, and waterfowl from September first to March first, both inclusive: *Provided*, That no caribou shall be killed on the Kenai Peninsula before August twentieth, nineteen hundred and twelve: *And provided further*, That the Secretary of Agriculture is hereby authorized, whenever he shall deem it necessary for the preservation of game animals or birds, to make and publish rules and regulations prohibiting the sale of any game in any locality modifying the close seasons hereinbefore established, providing different close seasons for different parts of Alaska, placing further restrictions and limitations on the killing of such animals or birds in any given locality, or prohibiting killing entirely for a period not exceeding two years in such locality.

Act May 11, 1908, c. 162, s. 2, 35 Stat. 102.

The killing of grouse, ptarmigan, shore birds, and waterfowl from September 1 to March 1, anywhere in Alaska, is made lawful by act March 4, 1911, c. 280, set forth below.

Killing restricted and limited in number and kinds of certain animals and birds; hunting with dogs, large guns, and launches, etc., unlawful.

"SEC. 3. NUMBER.—That it shall be unlawful for any person to kill any female or yearling moose or for any one person to kill in any one year more than the number specified of each of the following animals: Two moose, one walrus or sea lion, three caribou, three mountain sheep, three brown bear, or to kill or to have in his possession in any one day more than twenty-five grouse or ptarmigan or twenty-five shore birds or waterfowl.

"GUNS AND BOATS.—That it shall be unlawful for any person at any time to hunt with dogs any of the game animals specified in this Act; to use a shotgun larger than number ten gauge, or any gun other than

that which can be fired from the shoulder; or to use steam launches or any boats other than those propelled by oars or paddles in the pursuit of game animals or birds.

Act May 11, 1908, c. 162, s. 3, 35 Stat. 103.

Sale, etc., of hides, skins, etc., of game animals or birds in Alaska, killed during close seasons, unlawful.

"SEC. 4. SALE.—That it shall be unlawful for any person or persons at any time to sell or offer for sale any hides, skins, or heads of any game animals or game birds in Alaska, or to sell, offer for sale, or purchase, or offer to purchase, any game animals or game birds, or parts thereof, during the time when the killing of such animals or birds is prohibited: *Provided*, That it shall be lawful for dealers having in possession game animals or game birds legally killed during the open season to dispose of the same within fifteen days after the close of said season.

Act May 11, 1908, c. 162, s. 4, 35 Stat. 103.

Hunting game animals in Alaska by nonresidents, without license, or without guide in Kenai Peninsula, unlawful; license fees for hunting; license and license fees for exportation of trophies, etc.; affidavit for exportation of trophies, etc.; licenses for hunting and shipping big game; disposition of proceeds from licenses; game wardens and guides.

"SEC. 5. LICENSES.—That it shall be unlawful for any nonresident of Alaska to hunt any of the game animals protected by this Act, except deer and goats, without first obtaining a hunting license, or to hunt on the Kenai Peninsula without a registered guide, and such license shall not be transferable and shall be valid only during the calendar year in which issued. Each applicant shall pay a fee of one hundred dollars for such license, unless he be a citizen of the United States, in which case he shall pay a fee of fifty dollars. Each license shall be accompanied by coupons authorizing the shipment of two moose if killed north of latitude sixty-two degrees, four deer, three caribou, three mountain sheep, three goats, and three brown bear, or any part of said animals, but no more of any one kind.

"A resident of Alaska desiring to export heads or trophies of any of the game animals mentioned in this Act shall first obtain a shipping license, for which he shall pay a fee of forty dollars, permitting the shipment of heads or trophies of one moose, if killed north of latitude sixty-two degrees, four deer, two caribou, two sheep, two goats, and two brown bear, but no more of any one kind; or a shipping license, for which he shall pay a fee of ten dollars, permitting the shipment of a single head or trophy of caribou or sheep; or a shipping license, for which he shall pay a fee of five dollars, permitting the shipment of a single head or trophy of any goat, deer, or brown bear. Any person wishing to ship moose killed south of latitude sixty-two degrees must first obtain a special shipping license, for which he shall pay a fee of one hundred and fifty dollars, permitting the shipment of one moose, or any part thereof. Not more than one general license and two special moose licenses shall be issued to any one person in one year: *Provided*, That before any trophy shall be shipped from Alaska under the provisions of this Act the person desiring to make such shipment shall first make and file with the customs office at the port where such

shipment is to be made an affidavit to the effect that he has not violated any of the provisions of this Act; that the trophy which he desires to ship has not been bought or purchased and has not been sold and is not being shipped for the purpose of being sold, and that he is the owner of the trophy which he desires to ship, and if the trophy is that of moose, whether the animal from which it was taken was killed north or south of latitude sixty-two degrees: *Provided further*, That any resident of Alaska prior to September first, nineteen hundred and eight, may without permit or license ship any head or trophy of any of the game animals herein mentioned upon filing an affidavit with the customs office at the port where such shipment is to be made that the animal from which said head or trophy was taken was killed prior to the passage of this Act. Any affidavit required by the provisions of this Act may be subscribed and sworn to before any customs officer or before any officer competent to administer an oath.

“The governor of Alaska is hereby authorized to issue licenses for hunting and shipping big game. On issuing a license he shall require the applicant to state whether the heads or trophies to be obtained or shipped under said license will pass through the ports of entry at Seattle, Washington, Portland, Oregon, or San Francisco, California, and he shall forthwith notify the collector of customs at the proper port of entry as to the name of the holder of the license and the name and address of the consignee. All proceeds from licenses, except one dollar from each fee, which shall be retained by the clerk issuing the license to cover the cost of printing and issue, shall be paid into the Treasury of the United States as miscellaneous receipts; the amount necessary for the enforcement of this Act shall be estimated for annually by the Agricultural Department and appropriated for including the employment and salaries to be paid to game wardens herein authorized. And the governor shall annually make a detailed and itemized report to the Secretary of Agriculture, in which he shall state the number and kind of licenses issued, the money received, which report shall also include a full statement of all trophies exported and all animals and birds exported for any purpose.

“And the governor of Alaska is further authorized to employ game wardens, to make regulations for the registration and employment of guides, and fix the rates for licensing guides and rates of compensation for guiding. Every person applying for a guide license shall, at the time of making such application, make and file with the person issuing such license an affidavit to the effect that he will obey all the conditions of this Act and of the regulations thereunder, that he will not violate any of the game laws or regulations of Alaska, and that he will report all violations of such laws and regulations that come to his knowledge. Any American citizen or native of Alaska, of good character, upon compliance with the requirements of this Act, shall be entitled to a guide license. Any guide who shall fail or refuse to report any violation of this Act, or who shall himself violate any of the provisions of this Act, shall have his license revoked, and in addition shall be liable to the penalty provided in section seven of this Act, and shall be ineligible to act as guide for a period of five years from the date of conviction.

Act May 11, 1908, c. 162, s. 5, 35 Stat. 103.

Shipment, etc., from Alaska of wild birds or certain wild animals, or carcasses, etc., thereof, without license, etc., unlawful; collection of scientific specimens, etc., act not to be construed to prevent capture or shipment of live animals for exhibition, etc., or export of specimens under permit, duty of collectors of customs to keep account of consignments of game from Alaska; detention and forfeiture of consignments arriving without licenses.

“SEC. 6. That it shall be unlawful for any persons, firm, or corporation, or their officers or agents, to deliver to any common carrier, or for the owner, agent, or master of any vessel, or for any other person, to receive for shipment or have in possession with intent to ship out of Alaska, any wild birds, except eagles, or parts thereof, or any heads, hides, or carcasses of brown bear, caribou, deer, moose, mountain sheep, or mountain goats, or parts thereof, unless said heads, hides, or carcasses are accompanied by the required license or coupon and by a copy of the affidavit required by section five of this Act: *Provided*, That nothing in this Act shall be construed to prevent the collection of specimens for scientific purposes, the capture or shipment of live animals and birds for exhibition or propagation, or the export from Alaska of specimens under permit from the Secretary of Agriculture, and under such restrictions and limitations as he may prescribe and publish.

“It shall be the duty of the collector of customs at Seattle, Portland, and San Francisco to keep strict account of all consignments of game animals received from Alaska, and no consignment of game shall be entered until due notice thereof has been received from the governor of Alaska or the Secretary of Agriculture, and found to agree with the name and address on the shipment. In case consignments arrive without licenses they shall be detained for sixty days, and if a license be not then produced said consignments shall be forfeited to the United States and shall be delivered by the collector of customs to the United States marshal of the district for such disposition as the court may direct.

Act May 11, 1908, c. 162, s. 6, 35 Stat. 104.

Violations of act punishable; duty of marshals, collectors of customs, game wardens, etc., to assist in enforcement of act; arrests and seizures without warrants, for violations of act or regulations.

“SEC. 7. PENALTIES.—That any person violating any of the provisions of this Act shall be deemed guilty of a misdemeanor, and upon conviction thereof shall forfeit to the United States all game or birds in his possession, and all guns, traps, nets, or boats used in killing or capturing said game or birds, and shall be punished for each offense by a fine of not more than two hundred dollars or imprisonment not more than three months, or by both such fine and imprisonment, in the discretion of the court. Any person making any false or untrue statements in any affidavit required by this Act shall be deemed guilty of a misdemeanor, and upon conviction thereof shall forfeit to the United States all trophies in his possession, and shall be punished by a fine in any sum not more than two hundred dollars or imprisonment not more than three months, or by both such fine and imprisonment, in the discretion of the court.

“ENFORCEMENT.—It is hereby made the duty of all marshals and deputy marshals, collectors or deputy collectors of customs, all officers of revenue cutters, and all game wardens to assist in the enforcement of this Act. Any marshal, deputy marshal, or warden in or out

of Alaska may arrest without warrant any person found violating any of the provisions of this Act or any of the regulations herein provided, and may seize any game, birds, or hides, and any traps, nets, guns, boats, or other paraphernalia used in the capture of such game or birds and found in the possession of said person in or out of Alaska, and any collector or deputy collector of customs, or warden, or licensed guide, or any person authorized in writing by a marshal shall have the power above provided to arrest persons found violating this Act or said regulations and seize said property without warrant to keep and deliver the same to a marshal or a deputy marshal. It shall be the duty of the Secretary of the Treasury, upon request of the governor or Secretary of Agriculture, to aid in carrying out the provisions of this Act.

Act May 11, 1908, c. 162, s. 7, 35 Stat. 105.

Repeal of acts or parts of act in conflict with provisions of this act.

"SEC. 8. That all Acts or parts of Acts in conflict with the provisions of this Act are hereby repealed."

Act May 11, 1908, c. 162, s. 8, 35 Stat. 105.

ACT MARCH 4, 1911, c. 280. An act for the protection of game in the Territory of Alaska. (36 Stat. 1360.)

Open season for certain game birds extended.

That from and after the passage of this Act it shall be lawful to kill grouse, ptarmigan, shore birds, and waterfowl from September first to March first, both inclusive, anywhere in the Territory of Alaska.

Act March 4, 1911, c. 280, 36 Stat. 1360.

This act amends a provision of Act May 11, 1908, c. 162, s. 2, set forth above.

ACT MARCH 4, 1909, c. 321. (35 Stat. 1088.)

Hunting, etc., birds, or taking their eggs, on bird-breeding grounds, prohibited; punishment for.

SEC. 84. Whoever shall hunt, trap, capture, willfully disturb, or kill any bird of any kind whatever, or take the eggs of any such bird, on any lands of the United States which have been set apart or reserved as breeding grounds for birds, by any law, proclamation, or executive order, except under such rules and regulations as the Secretary of Agriculture may, from time to time, prescribe, shall be fined not more than five hundred dollars, or imprisoned not more than six months, or both.

Act March 4, 1909, c. 321, s. 84, 35 Stat. 1104.

This section is a portion of "An act to codify, revise, and amend the penal laws of the United States." cited above, incorporating the provisions of act June 28, 1906, c. 3565, set forth below, except a proviso annexed thereto relating to the Black Hills Forest Reservation.

Appropriations for the enforcement of this section are made in the agricultural appropriation acts for the fiscal years 1911 and thereafter. The provision of the act for the fiscal year 1913 is set forth below.

ACT JUNE 28, 1906, c. 3565. An act to protect birds and their eggs in game and bird preserves. (34 Stat. 536.)

Hunting, etc., birds, or taking their eggs from bird-breeding grounds, prohibited.

That it shall be unlawful for any person to hunt, trap, capture, willfully disturb, or kill any bird of any kind whatever or take the

eggs of such birds on any lands of the United States which have been set apart or reserved as breeding grounds for birds by any law, proclamation, or Executive order, except under such rules and regulations as may be prescribed from time to time by the Secretary of Agriculture.

Act June 28, 1906, c. 3565, s. 1, 34 Stat. 536.

Violation; punishment.

SEC. 2. That any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and shall, upon conviction in any United States court of competent jurisdiction, be fined in a sum not exceeding five hundred dollars or be imprisoned for a period not exceeding six months, or shall suffer both fine and imprisonment, in the discretion of the court: *Provided*, That the provisions of this Act shall not apply to the Black Hills Forest Reservation, in South Dakota.

Act June 28, 1906, c. 3565, s. 2, 34 Stat. 537.

All of the provisions of this act, except the proviso annexed to section 2, are incorporated in "An act to codify, revise, and amend the penal laws of the United States," act March 4, 1909, c. 321, s. 84.

EXECUTIVE ORDER MARCH 14, 1903.

Pelican Island Reservation for birds, created.

It is hereby ordered that Pelican Island in Indian River in section nine, township thirty-one south, range thirty-nine east, State of Florida, be, and it is hereby, reserved and set apart for the use of the Department of Agriculture as a preserve and breeding ground for native birds.

THEODORE ROOSEVELT.

EXECUTIVE ORDER JANUARY 26, 1909. [No. 1014.]

Pelican Island Reservation for birds, enlarged.

It is ordered that the Pelican Island Reservation, Florida, created by Executive Order of March 13, 1903, for the protection of native birds, be and the same is hereby enlarged so as to include all unreserved mangrove and other islands situated within Sections nine and ten, township thirty-one south, range thirty-nine east, of the Tallahassee Meridian, Florida, as segregated by the broken line shown upon the diagram hereto attached and made a part of this order. It is unlawful for any person to hunt, trap, capture, wilfully disturb, or kill any bird of any kind whatever, or take the eggs of such birds within the limits of this reservation, except under such rules and regulations as may be prescribed by the Secretary of Agriculture. Warning is expressly given to all persons not to commit any of the acts herein enumerated and which are prohibited by law.

THEODORE ROOSEVELT.

EXECUTIVE ORDER OCTOBER 4, 1904.

Breton Island Reservation for birds, created.

It is hereby ordered that Breton island, as shown by the General Land Office map of the State of Louisiana of date 1896, in Township 18 South, Range 20 East, St. Helena Meridian, when same shall be surveyed; and Old Harbor and Freemason islands, in Townships 14 and 15 South, Ranges 21 and 22 East, same Meridian, when sur-

veyed, be, and they are hereby reserved and set apart for the use of the Department of Agriculture, as a preserve and breeding ground for native birds. This reservation to be known as "Breton Island Reservation."

THEODORE ROOSEVELT.

EXECUTIVE ORDER MARCH 9, 1905.

Stump Lake Reservation for birds, created.

It is hereby ordered that the following described islands in Stump Lake in Township 151 North, Range 61 West, 5th Principal Meridian, North Dakota, shown on the official plat approved February 13, 1905, on file in the General Land Office, be, and they are hereby reserved and set apart for the use of the Department of Agriculture as a preserve and breeding ground for native birds, viz:

Two islands in section 10, one shown as lot 3 of the section, containing 12 acres, and one shown as lot 4 of the section, containing 7.64 acres; one island in section 11, shown as lot 4 of the section, containing 2.22 acres; also one island in section 15, shown as lot 2 of the section, containing 5.53 acres, total area 27.39 acres. This reservation to be known as the Stump Lake Reservation.

THEODORE ROOSEVELT.

EXECUTIVE ORDER OCTOBER 10, 1905.

Passage Key Reservation for birds, created.

It is hereby ordered that Passage Key, an island near the mouth of Tampa Bay, Florida, as shown on the General Land Office map of the State of Florida of date 1893, and situated in section 6, township 34 south, range 16 east, as the same appears upon the official plat of survey of said township approved March 17, 1877, be, and it is hereby reserved and set apart for the use of the Department of Agriculture as a preserve and breeding ground for native birds. This reservation to be known as the Passage Key Reservation.

THEODORE ROOSEVELT.

EXECUTIVE ORDER OCTOBER 10, 1905.

Siskiwit Islands Reservation for birds, created.

It is hereby ordered that the unsurveyed islands of the Siskiwit or Menagerie group of islands, lying near the mouth of Siskiwit bay, on the south side of Isle Royal in Lake Superior, Michigan, as shown by the General Land Office map of the State of Michigan of date 1904, and situated in sections 23, 24, 25, 26, 27, 33, 34 and 35, township 64 north, range 36 west, as the same appear in part upon the official plat of survey of said township, approved June 4, 1847, be and they are hereby reserved and set apart for the use of the Department of Agriculture as a preserve and breeding ground for native birds. This reservation to be known as the Siskiwit Islands Reservation.

THEODORE ROOSEVELT.

EXECUTIVE ORDER OCTOBER 10, 1905.

Huron Islands Reservation for birds, created.

It is hereby ordered that the unsurveyed islands of the Huron islands group, lying near the south shore of Lake Superior, as shown by the General Land Office map of the State of Michigan of date 1904, and situated in Sections 26, 27, 34 and 35, township 53 north,

range 29 west, as the same appear in part upon the official plat of survey of said township approved June 4, 1847, be, and they are hereby reserved and set apart for the use of the Department of Agriculture as a preserve and breeding ground for native birds. This reservation to be known as the Huron Islands Reservation.

THEODORE ROOSEVELT.

EXECUTIVE ORDER FEBRUARY 10, 1906.

Indian Key Reservation for birds, created.

It is hereby ordered that Indian Key, an island in Tampa bay, Florida, containing ninety acres, and located in sections 10 and 15, township 32 south, range 16 east, as the same appears upon the official plat of survey of said township on file in the General Land Office, be, and it is hereby reserved and set apart for the use of the Department of Agriculture, as a preserve and breeding ground for native birds. This reservation to be known as Indian Key Reservation.

THEODORE ROOSEVELT.

EXECUTIVE ORDER AUGUST 8, 1907.

Tern Islands Reservation for birds, created.

It is hereby ordered that all small islets, commonly called mud lumps, in or near the mouths of the Mississippi River, Louisiana, located within the area segregated and shown upon the diagram hereto attached and made a part of this order, are hereby reserved and set aside for the use of the Department of Agriculture, as a preserve and breeding ground for native birds. This reservation to be known as Tern Islands Reservation.

THEODORE ROOSEVELT.

EXECUTIVE ORDER AUGUST 17, 1907.

Shell Keys Reservation for birds, created.

It is hereby ordered that the Executive Order of July 9, 1855, creating the Light House Reservation which embraces a small group of unsurveyed islets located in the Gulf of Mexico about three and one-half miles south of Marsh Island, Louisiana, and approximately in latitude $29^{\circ} 26'$ north, longitude $91^{\circ} 51'$ west from Greenwich, as appears upon United States Coast Survey Chart No. 200, be, and the same is hereby vacated and set aside; and it is also ordered that these islets, located within the area segregated and shown upon the diagram hereto attached and made a part of this Order, be, and they are hereby reserved and set apart for the use of the Department of Agriculture as a preserve and breeding ground for native birds. This reservation to be known as Shell Keys Reservation.

THEODORE ROOSEVELT.

EXECUTIVE ORDER OCTOBER 14, 1907. [No. 699.]

Three Arch Rocks Reservation for birds, created.

It is hereby ordered that the group of small unsurveyed islands known as the "Three Arch Rocks," located in the Pacific Ocean from one-half mile to one mile off the coast of Oregon, approximately in latitude $45^{\circ} 28''$ north, longitude 124° west from Greenwich, as shown upon the United States Coast Survey Chart No. 6100, and located within the area segregated by a broken line and shown upon the diagram hereto attached and made a part of this order, is hereby

reserved and set aside for the use of the Department of Agriculture as a preserve and breeding ground for native birds and animals. This reservation to be known as Three Arch Rocks Reservation.

THEODORE ROOSEVELT.

EXECUTIVE ORDER OCTOBER 23, 1907. [No. 703.]

Flattery Rocks Reservation for birds, created.

It is hereby ordered that all small, unsurveyed and unreserved islands lying off the coast of the State of Washington in the Pacific Ocean, between latitudes $48^{\circ} 02'$ North and $48^{\circ} 23'$ North, among which are those named and commonly known as Spike Rock, Father and Son, Bodiel-teh Islets, Flattery Rocks, Ozette Island and White Rock, as the same are shown upon the coast survey chart No. 6400, or upon the General Land Office map of the State of Washington, dated 1887, and located within the area segregated by a broken line and shown upon the diagram hereto attached and made a part of this order, are hereby reserved and set aside for the use of the Department of Agriculture, as a preserve and breeding ground for native birds and animals. This reservation to be known as Flattery Rocks Reservation.

THEODORE ROOSEVELT.

EXECUTIVE ORDER OCTOBER 23, 1907. [No. 704.]

Copalis Rock Reservation for birds, created.

It is hereby ordered that all small, unsurveyed islands lying off the coast of the State of Washington in the Pacific Ocean, between latitudes $47^{\circ} 8'$ North, and $47^{\circ} 29'$ North, among which are those named and commonly known as Arch Island, Sea Lion Rock, Willoughby Rock, Split Rocks, Sonora Reef, Greenville Arch and Copalis Rock, as the same are shown upon coast survey chart No. 6400, or upon the General Land Office map of the State of Washington, dated 1887, and located within the area segregated by a broken line and shown upon the diagram hereto attached and made a part of this order, are hereby reserved and set aside for the use of the Department of Agriculture as a preserve and breeding ground for native birds and animals. This reservation to be known as Copalis Rock Reservation.

THEODORE ROOSEVELT.

EXECUTIVE ORDER OCTOBER 23, 1907. [No. 705.]

Quillayute Needles Reservation for birds, created.

It is hereby ordered that all small, unsurveyed and unreserved islands lying off the coast of the State of Washington in the Pacific Ocean, between latitudes $47^{\circ} 38'$ North, and $48^{\circ} 02'$ North, among which are those named and commonly known as Hand Rock, Carroll Islets, Bald Island, Jagged Islet, Cake Rock, James Island, Huntington Rock, Quillayute Needles, Rounded Islet, Alexander Island, Perkins Reef, North Rock, Middle Rock, Abbey Island and South Rock, as the same are shown upon coast survey chart No. 6400, or upon the General Land Office map of the State of Washington, dated 1887, and located within the area segregated by a broken line and shown upon the diagram hereto attached and made a part of this order are hereby reserved and set aside for the use of the Department

of Agriculture as a preserve and breeding ground for native birds and animals. This reservation to be known as Quillayute Needles Reservation.

THEODORE ROOSEVELT.

EXECUTIVE ORDER DECEMBER 7, 1907. [No. 718.]

East Timbalier Reservation for birds, created.

It is hereby ordered that a small marshy island commonly known as East Timbalier Island, formerly a part of the military reservation abandoned for military purposes by Executive order of September 23, 1886, located in the Gulf of Mexico, State of Louisiana, approximately in latitude $29^{\circ} 3'$ north, longitude $90^{\circ} 18'$ west from Greenwich, as shown upon the United States Coast Survey Chart No. 197, and located within the area segregated by the broken line shown upon the diagram hereto attached and made a part of this order, is hereby reserved and set apart for the use of the Department of Agriculture as a preserve and breeding ground for native birds. This reserve to be known as the East Timbalier Island Reservation.

THEODORE ROOSEVELT.

EXECUTIVE ORDER FEBRUARY 24, 1908. [No. 763.]

Mosquito Inlet Reservation for birds, created.

It is hereby ordered that all small mangrove and salt grass islets, shoals, sand bars and sand spits, situated in Mosquito Inlet, and in and near the mouths of the Halifax and Hillsboro Rivers, in townships sixteen and seventeen south, range thirty-four east of the Tallahassee Meridian, Florida, and located within the area segregated by a broken line, and shown upon the diagram hereto attached and made a part of this order, are hereby reserved and set aside for the use of the Department of Agriculture as a preserve and breeding ground for native birds. This reservation to be known as the Mosquito Inlet Reservation.

THEODORE ROOSEVELT.

EXECUTIVE ORDER APRIL 6, 1908. [No. 779.]

Tortugas Keys Reservation for birds, created.

It is hereby ordered that all islands embraced within the group known as the Dry Tortugas, located in the Gulf of Mexico near the western extremity of the Florida Keys, approximately in latitude twenty-four degrees thirty-eight minutes north, longitude eighty-two degrees fifty-two minutes west from Greenwich, and situated within the area segregated by a broken line upon the diagram hereto attached and made a part of this order, are hereby reserved and set aside for the use of the Department of Agriculture as a preserve and breeding ground for native birds; but the reservation made by this order is not intended to interfere with the use of these islands for necessary military purposes under the Executive Order of September 17, 1845, creating the Dry Tortugas Military Reservation, nor to in any manner vacate such order, except that such military use shall not extend to the occupation of the islet known as Bird Key. This reservation to be known as Tortugas Keys Reservation.

THEODORE ROOSEVELT

EXECUTIVE ORDER AUGUST 8, 1908. [No. 923.]**Key West Reservation for birds, created.**

It is hereby ordered that all keys and islands of the Florida keys group, between latitude $24^{\circ} 27'$ and $24^{\circ} 40'$ north, and longitude $81^{\circ} 49'$ and $82^{\circ} 10'$ west from Greenwich, as the same are shown upon coast survey chart No. 170, and located within the area segregated by the broken line shown upon the diagram hereto attached and made a part of this order, are hereby reserved and set aside for the use of the Department of Agriculture as a preserve and breeding ground for native birds. This reservation is subject to, and is not intended to interfere with, the use of "Marquesas keys" for life saving purposes, reserved by Executive Order of March 12, 1884, nor with the use of "Man key" and "Woman key", reserved for naval purposes by Executive Order of June 8, 1908; nor is it intended in any manner to vacate such orders. This reservation to be known as Key West Reservation.

THEODORE ROOSEVELT

EXECUTIVE ORDER AUGUST 8, 1908. [No. 924.]**Klamath Lake Reservation for birds, created.**

It is hereby ordered that all islands situated in Lower Klamath Lake, and the marsh and swamp lands unsuitable for agricultural purposes in townships thirty-nine, forty, and forty-one south, ranges eight and nine, and township forty-one south, range ten, all east of the Willamette Meridian, Oregon, and in townships forty-seven and forty-eight north, ranges one, two and three east of Mount Diablo Meridian, California, and situated within the area segregated by a broken line, as shown upon the diagram hereto attached and made a part of this order, are hereby reserved and set aside for the use of the Department of Agriculture as a preserve and breeding ground for native birds. The taking or the destruction of birds' eggs and nests, and the taking or killing of any species of native bird for any purpose whatever is prohibited, and warning is expressly given to all persons not to commit within the reserved territory any of the acts hereby enjoined. This order is made subject to and is not intended to interfere with the use of any part of the reserved area by the Reclamation Service acting under the provisions of the act approved June 17, 1902, or any subsequent legislation. This reserve to be known as Klamath Lake Reservation.

THEODORE ROOSEVELT

EXECUTIVE ORDER AUGUST 18, 1908. [No. 929.]**Lake Malheur Reservation for birds, created.**

It is hereby ordered that all smallest legal subdivisions which touch the shore line of Lakes Malheur and Harney and the streams and waters connecting these lakes in township twenty-five south, ranges thirty-two, thirty-two and one-half and thirty-three; township twenty-six south, ranges twenty-nine, thirty, thirty-one, thirty-two and thirty-three; township twenty-seven south, ranges twenty-nine, twenty-nine and one-half, thirty and thirty-two, all east of the Willamette Meridian, Oregon, together with all islands and unsurveyed lands situated within the meander lines of said lakes and connecting waters, as segregated by the broken line shown upon the diagram

hereto attached and made a part of this Order, are hereby reserved, subject to valid existing rights, and set aside for the use of the Department of Agriculture as a preserve and breeding ground for native birds. The taking or destruction of birds' eggs and nests, and the taking or killing of any species of native bird for any purpose whatsoever, except under such rules and regulations as may be prescribed by the Secretary of Agriculture, is prohibited, and warning is expressly given to all persons not to commit within the reserved territory any of the acts hereby enjoined. This reserve to be known as Lake Malheur Reservation.

THEODORE ROOSEVELT

EXECUTIVE ORDER AUGUST 28, 1908. [No. 932.]

Chase Lake Reservation for birds, created.

It is hereby ordered that all of the unappropriated public lands lying within the meander lines of Chase Lake in township one hundred and forty-one north, range sixty-nine west of the Fifth Principal Meridian, North Dakota, as shown upon the township plat of survey approved November 3, 1875, and as segregated by the broken lines upon the diagram hereto attached and made a part of this Order, are hereby reserved and set aside for the use of the Department of Agriculture as a reserve and breeding ground for native birds. The taking or destruction of birds' eggs and nests, and the taking or killing of any species of native bird for any purpose whatsoever is prohibited, and warning is expressly given to all persons not to commit within the reserved territory any of the acts hereby enjoined. This reserve to be known as Chase Lake Reservation.

THEODORE ROOSEVELT

EXECUTIVE ORDER SEPTEMBER 15, 1908. [No. 939.]

Pine Island Reservation for birds, created.

It is hereby ordered that two small, unsurveyed islets, commonly known as "Bird Island" and "Middle Island," located approximately in latitude twenty-six degrees forty minutes north, longitude eighty-two degrees fourteen minutes west from Greenwich, and a small bird island, approximately in latitude twenty-six degrees thirty-seven minutes north, longitude eighty-two degrees ten minutes west from Greenwich, all in and near the northern end of Pine Island Sound on the west coast of Florida as shown upon the United States Coast Survey Chart No. 175, and located within the areas segregated by the broken lines and shown upon the diagram hereto attached and made a part of this order, are hereby reserved and set apart for the use of the Department of Agriculture as a preserve and breeding ground for native birds. The taking or destruction of birds' eggs or nests, and the taking or killing of any species of native bird for any purpose whatsoever, except under such rules and regulations as may be prescribed by the Secretary of Agriculture, is prohibited, and warning is expressly given to all persons not to commit within the reserved territory any of the acts hereby enjoined. This reserve to be known as Pine Island Reservation.

THEODORE ROOSEVELT.

EXECUTIVE ORDER SEPTEMBER 26, 1908. [No. 942.]**Palma Sola Reservation for birds, created.**

It is hereby ordered that a small, unsurveyed island in Palma Sola bay, Florida, approximately in latitude twenty-seven degrees, twenty-nine minutes north, longitude eighty-two degrees forty minutes west from Greenwich, as the same appears upon Coast Survey Chart number one hundred and seventy-five and located within the area segregated by the broken line as shown upon the diagram hereto attached and made a part of this order, is hereby reserved and set apart for the use of the Department of Agriculture as a preserve and breeding ground for native birds. The taking or the destruction of birds' eggs and nests, and the taking or killing of any species of native bird for any purpose whatever, except under such rules and regulations as may be prescribed by the Secretary of Agriculture, is prohibited, and warning is expressly given to all persons not to commit any of the acts hereby enjoined. This reservation to be known as Palma Sola Reservation.

THEODORE ROOSEVELT.

EXECUTIVE ORDER SEPTEMBER 26, 1908. [No. 943.]**Matlacha Pass Reservation for birds, created.**

It is hereby ordered that three small islands located in Matlacha Pass, Florida, approximately in latitude twenty-six degrees, thirty-four minutes north, longitude eighty-two degrees, four minutes, and latitude twenty-six degrees, thirty-two minutes north, longitude eighty-two degrees, three minutes, as the same appear upon Coast Survey Chart number one hundred seventy-five, and one island approximately in latitude twenty-six degrees, thirty-one minutes north, longitude eighty-two degrees, two minutes, not shown upon said chart, all west from Greenwich and located within the areas segregated by the broken lines shown upon the diagram hereto attached and made a part of this order, are hereby reserved and set aside for the use of the Department of Agriculture as a preserve and breeding ground for native birds. The taking or destruction of birds' eggs and nests and the taking or killing of any species of native bird for any purpose whatever, except under such rules and regulations as may be prescribed by the Secretary of Agriculture, is prohibited, and warning is expressly given to all persons not to commit any of the acts hereby enjoined. This reserve to be known as Matlacha Pass Reservation.

THEODORE ROOSEVELT.

EXECUTIVE ORDER OCTOBER 23, 1908. [No. 958.]**Island Bay Reservation for birds, created.**

It is hereby ordered that all of the unsurveyed mangrove and other islands in township forty-two south, range twenty-one east, of the Tallahassee Principal Meridian, Florida, situated southerly from the surveyed shore line, as the same appears upon the official plat of said township in the General Land Office, approved July 23, 1850, and located within the area segregated by the broken line shown upon the diagram hereto attached and made a part of this Order, are hereby

reserved and set aside for the use of the Department of Agriculture as a preserve and breeding ground for native birds. The taking or destruction of birds' eggs and nests, and the taking or killing of any species of native bird for any purpose whatever, except under such rules and regulations as may be prescribed by the Secretary of Agriculture, is prohibited and warning is expressly given to all persons not to commit any of the acts hereby enjoined. This reserve to be known as Island Bay Reservation.

THEODORE ROOSEVELT.

EXECUTIVE ORDER OCTOBER 26, 1908. [No. 961.]

Loch Katrine Reservation for birds, created.

It is hereby ordered that all of the lands embraced within the meander survey of a reservoir site located in what is commonly known as the Oregon Basin, embracing five thousand five hundred acres, more or less, in section five, township fifty-one north, range one hundred west, sections nineteen, twenty, twenty-one, twenty-two, twenty-seven, twenty-eight, twenty-nine, thirty, thirty-one, thirty-two, thirty-three and thirty-four, township fifty-two north, range one hundred west of the Sixth Principal Meridian, Wyoming, together with a strip of land fifty feet wide adjoining said meander survey on the outside and surrounding said reservoir site, as the said reservoir site appears upon the map of the Shoshone River canal, on file in the General Land Office, approved March 13, 1903, and as the same is shown by the broken line upon the diagram hereto attached and made a part of this Order, are hereby reserved, subject to valid existing rights, and set aside for the use of the Department of Agriculture as a preserve and breeding ground for native birds. The taking or destruction of birds' eggs and nests, and the taking or killing of any species of native bird for any purpose whatever, except under such rules and regulations as may be prescribed by the Department of Agriculture, is prohibited, and warning is expressly given to all persons not to commit any of the acts hereby enjoined. This reserve to be known as the Loch-Katrine Reservation.

THEODORE ROOSEVELT.

EXECUTIVE ORDER FEBRUARY 3, 1909. [No. 1019.]

Hawaiian Islands Reservation for birds, created.

It is hereby ordered that the following islets and reefs, namely: Cure Island, Pearl and Hermes Reef, Lysianski or Pell Island, Laysan Island, Mary Reef, Dowsetts Reef, Gardiner Island, Two Brothers Reef, French Frigate Shoal, Necker Island, Frost Shoal and Bird Island, situated in the Pacific Ocean at and near the extreme western extension of the Hawaiian archipelago between latitudes twenty-three degrees and twenty-nine degrees north, and longitudes one hundred and sixty degrees and one hundred and eighty degrees west from Greenwich, and located within the area segregated by the broken lines shown upon the diagram hereto attached and made a part of this order, are hereby reserved and set apart, subject to valid existing rights, for the use of the Department of Agriculture as a preserve and breeding ground for native birds. It is unlawful for any person to hunt, trap, capture, wilfully disturb, or kill any bird of any kind whatever, or take the eggs of such birds within the limits of this

reservation except under such rules and regulations as may be prescribed from time to time by the Secretary of Agriculture. Warning is expressly given to all persons not to commit any of the acts herein enumerated and which are prohibited by law.

This reservation to be known as the Hawaiian Islands Reservation.

THEODORE ROOSEVELT.

EXECUTIVE ORDER FEBRUARY 25, 1909. [No. 1032.]

Salt River, East Park, Deer Flat, Minidoka, Willow Creek, Carlsbad, Rio Grande, Cold Springs, Belle Fourche, Strawberry Valley, Keechelus Lake, Kachess Lake, Clealum Lake, Bumping Lake, Conconully, Pathfinder, and Shoshone, Reservations for birds, created.

It is hereby ordered that the following reservoir sites, namely: Salt River, Arizona; East Park, California; Deer Flat and Minidoka, Idaho; Willow Creek, Montana; Carlsbad and Rio Grande, New Mexico; Cold Springs, Oregon; Belle Fourche, South Dakota; Strawberry Valley, Utah; Keechelus Lake, Kachess Lake, Clealum Lake, Bumping Lake and Conconully, Washington, and Shoshone and Pathfinder, Wyoming, together with the smallest legal subdivisions of land adjoining the flow lines thereof as segregated by the broken lines upon the diagrams hereto attached and made a part of this order, are hereby reserved, subject to Reclamation Service uses under the provisions of the act approved June 17, 1902 (32 Stat., 388), and to any other valid existing rights, and are set apart for the use of the Department of Agriculture as preserves and breeding grounds for native birds. It is unlawful for any person to hunt, trap, capture, wilfully disturb or kill any bird of any kind whatever or take the eggs of such birds within the limits of these reservations, except under such rules and regulations as may be prescribed by the Secretary of Agriculture. Warning is expressly given to all persons not to commit any of the acts herein enumerated and which are prohibited by law.

These reservations to be known by the names designating the reserved tracts upon the diagrams attached.

THEODORE ROOSEVELT.

EXECUTIVE ORDER FEBRUARY 21, 1912. [No. 1486.]

Minidoka Reservation for birds, enlarged.

It is hereby ordered that the Minidoka Reservation, Idaho, for the protection of native birds, created by Executive Order dated February 25, 1909, be, and the same is hereby, enlarged so as to include all of the reservoir known as Lake Walcott, together with the smallest legal subdivisions of land adjoining the flow line thereof, as segregated by the broken line and shown upon the diagram hereto attached and made a part of this order. It is unlawful for any person to hunt, trap, capture, wilfully disturb, or kill any bird of any kind whatever, or take the eggs of such birds within the limits of this reservation, except under such rules and regulations as may be prescribed by the Secretary of Agriculture. Warning is expressly given to all persons not to commit any of the acts herein enumerated and which are prohibited by law.

WM. H. TAFT.

EXECUTIVE ORDER FEBRUARY 27, 1909. [No. 1037.]**Bering Sea Reservation for birds, created.**

It is hereby ordered that Saint Matthew island, Hall island, and Pinnacle islet, situated in Bering Sea, approximately in latitude sixty degrees, thirty minutes north, longitude one hundred and seventy-two degrees, thirty minutes west from Greenwich, as segregated by the broken line shown upon the diagram hereto attached and made a part of this order, be and the same are hereby reserved and set apart for the use of the Department of Agriculture as a preserve and breeding ground for native birds. It is unlawful for any person to hunt, trap, capture, wilfully disturb, or kill any bird of any kind whatever, or take the eggs of such birds within the limits of this reservation, except under such rules and regulations as may be prescribed by the Secretary of Agriculture. Warning is expressly given to all persons not to commit any of the acts herein enumerated and which are prohibited by law. This bird refuge to be known as Bering Sea Reservation.

THEODORE ROOSEVELT.

EXECUTIVE ORDER FEBRUARY 27, 1909. [No. 1039.]**Tuxedni Reservation for birds, created.**

It is hereby ordered that Chisick Island and Egg Island, situated approximately in latitude sixty degrees, fifteen minutes north, longitude one hundred and fifty-two degrees, thirty minutes west from Greenwich, at the entrance to Tuxedni harbor, Cook Inlet, Alaska, as segregated by the broken line shown upon the diagram hereto attached and made a part of this order, be and the same are hereby reserved and set apart for the use of the Department of Agriculture as a preserve and breeding ground for native birds. It is unlawful for any person to hunt, trap, capture, wilfully disturb, or kill any bird of any kind whatever, or take the eggs of such birds within the limits of this reservation, except under such rules and regulations as may be prescribed by the Secretary of Agriculture. Warning is expressly given to all persons not to commit any of the acts herein enumerated and which are prohibited by law. This bird refuge to be known as Tuxedni Reservation.

THEODORE ROOSEVELT.

EXECUTIVE ORDER FEBRUARY 27, 1909. [No. 1040.]**Saint Lazaria Reservation for birds, created.**

It is hereby ordered that the island of Saint Lazaria, situated at the entrance to Sitka Sound, Alaska, approximately in latitude fifty-six degrees, fifty-nine minutes north, longitude one hundred and thirty-five degrees, forty-two minutes west from Greenwich, as segregated by the broken line shown upon the diagram hereto attached and made a part of this order, be and the same is hereby reserved and set apart for the use of the Department of Agriculture as a preserve and breeding ground for native birds. It is unlawful for any person to hunt, trap, capture, wilfully disturb, or kill any bird of any kind whatever, or take the eggs of such birds within the limits of this reservation, except under such rules and regulations as may be prescribed by the Secretary of Agriculture. Warning is expressly given to all

persons not to commit any of the acts herein enumerated and which are prohibited by law. This bird refuge to be known as Saint Lazaria Reservation.

THEODORE ROOSEVELT.

EXECUTIVE ORDER FEBRUARY 27, 1909. [No. 1041.]

Yukon Delta Reservation for birds, created.

It is hereby ordered that the treeless tundra of the delta of the Yukon river, Alaska, situated west of longitude one hundred and sixty-two degrees and twenty minutes west from Greenwich and south of the Yukon river, as segregated by the broken line shown upon the diagram hereto attached and made a part of this order, be and the same is hereby reserved and set apart for the use of the Department of Agriculture as a preserve and breeding ground for native birds. It is unlawful for any person to hunt, trap, capture, wilfully disturb, or kill any bird of any kind whatever, or take the eggs of such birds within the limits of this reservation, except under such rules and regulations as may be prescribed by the Secretary of Agriculture. Warning is expressly given to all persons not to commit any of the acts herein enumerated and which are prohibited by law. This bird refuge to be known as Yukon Delta Reservation.

THEODORE ROOSEVELT.

EXECUTIVE ORDER FEBRUARY 27, 1909. [No. 1042.]

Culebra Reservation for birds, created.

It is hereby ordered that the islands of the Culebra group, Porto Rico, approximately in latitude eighteen degrees, twenty minutes north, longitude sixty-five degrees, twenty minutes west from Greenwich, excepting Culebra island, be and the same are hereby reserved, subject to their use for naval and light-house purposes under the provisions of the Proclamations and Executive Orders heretofore issued and creating such reservations, and set apart for the use of the Department of Agriculture as a preserve and breeding ground for native birds. It is unlawful for any person to hunt, trap, capture, wilfully disturb, or kill any bird of any kind whatever, or take the eggs of such birds within the limits of this reservation, except under such rules and regulations as may be prescribed by the Secretary of Agriculture. Warning is expressly given to all persons not to commit any of the acts herein enumerated and which are prohibited by law.

This reservation to be known as Culebra Reservation.

THEODORE ROOSEVELT.

EXECUTIVE ORDER FEBRUARY 27, 1909. [No. 1043.]

Farallon Reservation for birds, created.

It is hereby ordered that the Middle and North Farallon islands and other rocks to the Northwest of same, in California, situated approximately in latitude thirty-seven degrees and forty-five minutes north, longitude one hundred and twenty-three degrees and five minutes west from Greenwich, and located within the area segregated by the broken line upon the diagram hereto attached and made a part of this order, be and the same are hereby reserved and set apart for

the use of the Department of Agriculture as a preserve and breeding ground for native birds. It is unlawful for any person to hunt, trap, capture, wilfully disturb, or kill any birds of any kind whatever, or take the eggs of such birds within the limits of this reservation, except under such rules and regulations as may be prescribed by the Secretary of Agriculture. Warning is expressly given to all persons not to commit any of the acts herein enumerated and which are prohibited by law. This reserve to be known as Farallon Reservation.

THEODORE ROOSEVELT.

EXECUTIVE ORDER MARCH 2, 1909. [No. 1049.]

Bogoslof Reservation for birds, created.

It is hereby ordered that the volcanic islets, commonly known as the Bogoslof islands of the Aleutian archipelago, Alaska, located approximately in latitude fifty-three degrees, fifty-eight minutes north, longitude one hundred and sixty-seven degrees, fifty-three minutes west from Greenwich, be and the same are hereby reserved and set apart for the use of the Department of Agriculture as a preserve and breeding ground for native birds. It is unlawful for any person to hunt, trap, capture, wilfully disturb, or kill any bird of any kind whatever, or take the eggs of such birds within the limits of this reservation, except under such rules and regulations as may be prescribed by the Secretary of Agriculture. Warning is expressly given to all persons not to commit any of the acts herein enumerated and which are prohibited by law.

This reserve to be known as the Bogoslof Reservation.

THEODORE ROOSEVELT.

EXECUTIVE ORDER APRIL 2, 1909. [No. 1057.]

Mosquito Inlet Reservation for birds, enlarged.

It is hereby ordered that all unsurveyed and unappropriated mangrove and salt grass islets, shoals, sand bars and sand spits, situated in Halifax River, in the south half of township fifteen south, range thirty-three, in townships sixteen south, ranges thirty-three and thirty-four, and in township seventeen south, range thirty-four, all east of the Tallahassee Meridian, Florida, and located within the area segregated by a broken line and shown upon the diagram hereto attached and made a part of this order, be and the same are hereby reserved and set apart for the use of the Department of Agriculture as a preserve and breeding ground for native birds. It is unlawful for any person to hunt, trap, capture, wilfully disturb or kill any birds of any kind whatever, or take the eggs of such birds within the limits of this reservation, except under such rules and regulations as may be prescribed by the Secretary of Agriculture. Warning is expressly given to all persons not to commit any of the acts herein enumerated and which are prohibited by law.

WM. H. TAFT.

EXECUTIVE ORDER JANUARY 11, 1912. [No. 1458.]

Forrester Island Reservation for birds, created.

It is hereby ordered that the Forrester and Wolf Rocks Islands, within the boundaries of the Tongass National Forest, Alaska, situ-

ated approximately in latitude fifty-four degrees, forty-eight minutes north, longitude one hundred thirty-three degrees, thirty-two minutes, and latitude fifty-five degrees, no minutes north, longitude one hundred thirty-three degrees, thirty minutes, respectively, all west from Greenwich, as shown upon Coast Survey chart No. 8150, and located within the area segregated by the broken lines upon the diagram hereto attached and made a part of this order, be and the same are hereby reserved and set apart for the use of the Department of Agriculture as a preserve and breeding ground for native birds.

It is unlawful for any person to hunt, trap, capture, wilfully disturb, or kill any birds of any kind whatever, or take the eggs of such birds, or exercise other privilege within the limits of this reservation, except under such rules and regulations as may be prescribed by the Secretary of Agriculture. Warning is expressly given to all persons not to commit any of the acts herein specifically enumerated and which are prohibited by law.

This reserve to be known as Forrester Island Reservation.

WM. H. TAFT.

EXECUTIVE ORDER JANUARY 11, 1912. [No. 1459.]

Hazy Islands Reservation for birds, created.

It is hereby ordered that the Hazy Islands, within the boundaries of the Tongass National Forest, Alaska, situated approximately in latitude fifty-five degrees, fifty-four minutes north, longitude one hundred thirty-four degrees, thirty-six minutes, west from Greenwich, as shown upon Coast Survey chart No. 8150, and located within the area segregated by the broken line upon the diagram hereto attached and made a part of this order, be, and the same are hereby, reserved and set apart for the use of the Department of Agriculture as a preserve and breeding ground for native birds. It is unlawful for any person to hunt, trap, capture, wilfully disturb, or kill any bird of any kind whatever, or take the eggs of such birds, or exercise other privilege within the limits of this reservation, except under such rules and regulations as may be prescribed by the Secretary of Agriculture. Warning is expressly given to all persons not to commit any of the acts herein specifically enumerated and which are prohibited by law.

This reserve to be known as the Hazy Islands Reservation.

WM. H. TAFT.

EXECUTIVE ORDER JANUARY 11, 1912. [No. 1461.]

Niobrara Reservation for birds, created.

It is hereby ordered that the unentered, unappropriated public lands embraced in sections seventeen, eighteen, nineteen, twenty, twenty-nine, thirty, thirty-one and thirty-two, and the south half of sections seven and eight, in township thirty-four north, range twenty-six; sections five, six, seven and eight, in township thirty-three north, range twenty-six; sections thirteen, twenty-four, twenty-five and thirty-six, the east half of sections twenty-six and thirty-five, the east half, and east half of the northwest quarter of section twenty-three, the east half, east half of the northwest quarter, and east half of the southwest quarter of section fourteen, and the south half of

section twelve, in township thirty-four north, range twenty-seven; and sections one and twelve, and the east half of sections two and eleven, in township thirty-three north, range twenty-seven, all west of the sixth principal meridian, Nebraska, embracing approximately twenty-two and seven-eighths square miles, as shown upon the diagram hereto attached and made a part of this order, be, and the same are hereby, reserved and set apart for the use of the Department of Agriculture as a preserve and breeding ground for native birds. It is unlawful for any person to hunt, trap, capture, wilfully disturb, or kill any birds of any kind whatever, or take the eggs of such birds, within the limits of this reservation, except under such rules and regulations as may be prescribed by the Secretary of Agriculture. Warning is expressly given to all persons not to commit any of the acts herein enumerated and which are prohibited by law.

This reserve to be known as Niobrara Reservation.

WM. H. TAFT.

EXECUTIVE ORDER JANUARY 13, 1912. [No. 1464.]

Clear Lake Reservation for birds, created.

It is hereby ordered that the Clear Lake Reservation, California, created by Executive Order dated April 11, 1911, for the protection of native birds, be, and the same is hereby, reduced in area by the elimination therefrom of all land lying within Section eight, township forty-seven north, range eight east, Mount Diablo Meridian, as segregated by the broken line shown upon the diagram hereto attached and made a part of this order. It is unlawful for any person to hunt, trap, capture, wilfully disturb, or kill any bird of any kind whatever, or take the eggs of such birds within the limits of this reservation, except under such rules and regulations as may be prescribed by the Secretary of Agriculture. Warning is expressly given to all persons not to commit any of the acts herein enumerated and which are prohibited by law.

WM. H. TAFT.

EXECUTIVE ORDER FEBRUARY 21, 1912. [No. 1487.]

Green Bay Reservation for birds, created.

It is hereby ordered that the islet locally known as Hog Island, lying about one half mile east of Washington Island, at the entrance to Green Bay, and situated within the boundaries of Township thirty-three North, Range thirty East of the Fourth Principal Meridian, Wisconsin, as located within the area segregated by the broken line upon the diagram hereto attached and made a part of this order, be and the same is hereby reserved and set apart for the use of the Department of Agriculture as a preserve and breeding ground for native birds. It is unlawful for any person to hunt, trap, capture, wilfully disturb, or kill any birds of any kind whatever, or take the eggs of such birds, except under such rules and regulations as may be prescribed by the Secretary of Agriculture. Warning is expressly given to all persons not to commit any of the acts herein enumerated and which are prohibited by law.

This reserve to be known as the Green Bay Reservation.

WM. H. TAFT.

ACT MAY 23, 1908, c. 192. (35 Stat. 251.)

Montana National Bison Range; reservation of lands; fencing and buildings.

NATIONAL BISON RANGE: The President is hereby directed to reserve and except from the unallotted lands now embraced within the Flathead Indian Reservation, in the State of Montana, not to exceed twelve thousand eight hundred acres of said lands, near the confluence of the Pend d'Oreille and Jocko rivers, for a permanent national bison range for the herd of bison to be presented by the American Bison Society. And there is hereby appropriated the sum of thirty thousand dollars, or so much thereof as may be necessary, to enable the Secretary of the Interior to pay the confederated tribes of the Flathead, Kootenai, and Upper Pend d'Oreille, and such other Indians and persons holding tribal relations or may rightfully belong on said Flathead Indian Reservation, the appraised value of said lands as shall be fixed and determined under the provisions of the Act of Congress approved April twenty-third, nineteen hundred and four, entitled "An Act for the survey and allotment of lands now embraced within the limits of the Flathead Indian Reservation, in the State of Montana, and the sale and disposal of all surplus lands after allotment." And the Secretary of Agriculture is hereby authorized and directed to inclose said lands with a good and substantial fence and to erect thereon the necessary sheds and buildings for the proper care and maintenance of the said bison; and there is hereby appropriated therefor the sum of ten thousand dollars or so much thereof as may be necessary; in all, forty thousand dollars.

Act May 23, 1908, c. 192, 35 Stat. 267.

These are provisions of the agricultural appropriation act for the fiscal year 1909, cited above.

Provisions for the enlargement of the Montana National Bison Range, contained in the agricultural appropriation act for the fiscal year 1910, are set forth below.

Appropriations for the maintenance of the Montana National Bison Range are made in the agricultural appropriation acts for the fiscal years 1910 and thereafter. The provision of the act for the fiscal year 1913 is set forth on p. 227, *post*.

ACT MARCH 4, 1909, c. 301. (35 Stat. 1039.)

Montana National Bison Range; enlargement.

* * * so much of the forty thousand dollars heretofore appropriated for the Montana National Bison Range as remains unexpended is hereby reappropriated, the same to be immediately available, to be expended in fencing said lands, the erection thereon of the necessary sheds and buildings, and enlarging the limits heretofore established so as to make the total acreage not to exceed twenty thousand acres, and the President is hereby directed to reserve and except from the unallotted lands now embraced within the Flathead Indian Reservation, in the State of Montana, a sufficient area to enlarge said range as herein provided; * * *

Act March 4, 1909, c. 301, 35 Stat. 1051.

This is a provision accompanying an appropriation for the maintenance of the Montana National Bison Range, in the agricultural appropriation act for the fiscal year 1910, cited above.

The reservation and purchase of lands for a National Bison Range is provided for, and an appropriation of forty thousand dollars is made therefor, by provisions of the agricultural appropriation act for the fiscal year 1909, act May 23, 1908, c. 192, set forth above.

ACT AUGUST 10, 1912, c. 284. (37 Stat. 269.)

Wind Cave National Game Preserve; acquisition of lands.

For the establishment of a national game preserve, to be known as the Wind Cave National Game Preserve, upon the land embraced within the boundaries of the Wind Cave National Park, in the State of South Dakota, for a permanent national range for a herd of buffalo to be presented to the United States by the American Bison Society, and for such other native American game animals as may be placed therein. The Secretary of Agriculture is authorized to acquire by purchase or condemnation such adjacent lands as may be necessary for the purpose of assuring an adequate, permanent water supply, and to enclose the said game preserve with a good and substantial fence and to erect thereon all necessary sheds and buildings for the proper care and maintenance of the said animals, twenty-six thousand dollars, to be available until expended; * * *

Act August 10, 1912, c. 284, 37 Stat. 293.

These are provisions of the agricultural appropriation act for the fiscal year 1913, cited above.

Winter game (elk) reserve in Wyoming; purchase of lands; buildings and inclosures.

For the establishment of a winter game (elk) reserve in the State of Wyoming, which shall be located in that section of Wyoming lying south of the Yellowstone Park, and shall include not less than two thousand acres in township forty-one north, ranges one hundred and fifteen and one hundred and sixteen west, forty-five thousand dollars, to be available until expended, and the Secretary of Agriculture is hereby authorized to purchase said lands with improvements, to erect necessary buildings and inclosures, and to incur other expenses necessary for the maintenance of the reserve; * * *

Act August 10, 1912, c. 284, 37 Stat. 293.

These are provisions of the agricultural appropriation act for the fiscal year 1913, cited above.

ACT AUGUST 10, 1912, c. 284. (37 Stat. 269.)

SALARIES, BUREAU OF BIOLOGICAL SURVEY: One biologist, who shall be chief of bureau, three thousand five hundred dollars; one chief clerk, one thousand eight hundred dollars; one clerk, class four; one clerk, class three; two clerks, class two; three clerks, class one; three clerks, at one thousand dollars each; two clerks, at nine hundred dollars each; one messenger, seven hundred and twenty dollars; one photographer, one thousand three hundred dollars; one game warden, one thousand two hundred dollars; one draftsman, nine hundred dollars; one messenger, messenger boy, or laborer, four hundred and eighty dollars; one laborer, six hundred dollars; in all, twenty-five thousand one hundred dollars.

GENERAL EXPENSES, BUREAU OF BIOLOGICAL SURVEY: For salaries and employment of labor in the city of Washington and elsewhere, furniture, supplies, traveling and all other expenses necessary in conducting investigations and carrying out the work of the bureau, as follows:

For the enforcement of sections two hundred and forty-one, two hundred and forty-two, two hundred and forty-three, and two hundred and forty-four of the Act approved March fourth, nineteen

hundred and nine, entitled "An Act to codify, revise, and amend the penal laws of the United States," and for the enforcement of section one of the Act approved May twenty-fifth, nineteen hundred, entitled "An Act to enlarge the powers of the Department of Agriculture, prohibit the transportation by interstate commerce of game killed in violation of local laws, and for other purposes," twelve thousand dollars;

For the maintenance of the Montana National Bison Range and other reservations for mammals and birds, and for the enforcement of section eighty-four of the Act approved March fourth, nineteen hundred and nine, entitled "An Act to codify, revise, and amend the penal laws of the United States," seventeen thousand dollars, of which sum two thousand five hundred dollars shall be used for the purchase, capture, and transportation of game for national reservations;

* * * * *

A paragraph, here omitted, providing for the establishment of the Wind Cave National Game Preserve, the acquisition of lands therefor, and fencing and buildings, is set forth above.

For investigating the food habits of North American birds and mammals in relation to agriculture, horticulture, and forestry, including experiments and demonstrations in destroying noxious animals, and for investigations and experiments in connection with rearing of fur-bearing animals, including mink and marten, forty-three thousand dollars, of which sum three thousand dollars shall be used for the destruction of ground squirrels on the national forests in California;

For biological investigations, including the relations, habits, geographic distribution, and migrations of animals and plants, and the preparation of maps of the life and crop zones, ten thousand dollars;

* * * * *

A paragraph, here omitted, providing for the establishment of a winter (elk) reserve in Wyoming, the purchase of lands therefor, and the erection of buildings and inclosures, is set forth above.

For general administrative expenses connected with the above-mentioned lines of work, including cooperation with other Federal bureaus, departments, boards, and commissions, on request from them, thirteen thousand three hundred dollars;

In all, for general expenses, one hundred and sixty-six thousand three hundred dollars.

Total for Bureau of Biological Survey, one hundred and ninety-one thousand four hundred dollars.

Act August 10, 1912, c. 284, 37 Stat. 292.

These are provisions of the agricultural appropriation act for the fiscal year 1913, cited above.

DIVISION OF ACCOUNTS AND DISBURSEMENTS.

ACT MARCH 4, 1909, c. 301. (35 Stat. 1039.)

Chief of division.

* * * One chief of division and disbursing clerk, who shall be administrative officer of the fiscal affairs of the department, * * *.

Act March 4, 1909, c. 301, 35 Stat. 1052.

This is a provision of the agricultural appropriation act for the fiscal year 1910, cited above. Provisions in the same words are contained in the similar acts for the subsequent fiscal years. The provisions in the act for the fiscal year 1913 are set forth below.

ACT MARCH 4, 1911, c. 238. (36 Stat. 1235.)

Deputy disbursing clerk; authority, bond, and liabilities.

* * * one deputy disbursing clerk, * * *.

The deputy disbursing clerk herein provided for shall hereafter have authority to sign checks in the name of the disbursing clerk; he shall give bond to the United States in such sum as the Secretary of the Treasury may require, and when so acting for the disbursing clerk shall be subject to all the liabilities and penalties prescribed by law for the official misconduct in like cases of the disbursing clerk for whom he acts, and the official bond of the disbursing clerk executed shall also be made to cover and apply to the acts of the deputy disbursing clerk.

Act March 4, 1911, c. 238, 36 Stat. 1258.

This is a provision of the agricultural appropriation act for the fiscal year 1912, cited above.

Details of officers to Forest Service.

* * * one chief of office of accounts and fiscal agent, who may be detailed to the Forest Service for duty in or out of the city of Washington, * * * seven district fiscal agents, * * * who may be detailed to the Forest Service for duty in or out of the city of Washington; * * *.

Act March 4, 1911, c. 238, 36 Stat. 1258.

These are provisions of the agricultural appropriation act for the fiscal year 1912, cited above. Similar provisions are contained in the similar acts for the two preceding fiscal years.

These provisions are superseded by a more comprehensive provision of act August 10, 1912, set forth below.

ACT AUGUST 10, 1912, c. 284. (37 Stat. 269.)

Details of employees from and to Division of Accounts and Disbursements and bureaus and offices of department; payment of traveling expenses of employees detailed.

* * * That hereafter employees of the Division of Accounts and Disbursements may be detailed by the Secretary of Agriculture for accounting and disbursing work in any of the bureaus and offices of the department for duty in or out of the city of Washington, and employees of the bureaus and offices of the department may also be detailed to the Division of Accounts and Disbursements for duty in or out of the city of Washington, traveling expenses of employees so detailed to be paid from the appropriation of the bureau or office in connection with which such travel is performed.

Act August 10, 1912, c. 284, 37 Stat. 294.

This is a proviso annexed to the agricultural appropriation act for the fiscal year 1913, cited above.

This provision supersedes a less comprehensive provision of act March 4, 1911, c. 238, set forth above.

ACT AUGUST 10, 1912, c. 284. (37 Stat. 269.)

SALARIES, DIVISION OF ACCOUNTS AND DISBURSEMENTS: One chief of division and disbursing clerk, who shall be administrative officer of the fiscal affairs of the department, four thousand dollars; one

assistant chief of division, two thousand seven hundred and fifty dollars; one chief of office of accounts and fiscal agent, two thousand five hundred dollars; seven district fiscal agents, at two thousand dollars each; one supervising auditor, two thousand two hundred and fifty dollars; one auditor, two thousand dollars; one cashier and chief clerk, two thousand dollars; one deputy disbursing clerk, two thousand dollars; one accountant and bookkeeper, two thousand dollars; three clerks, class four; eleven clerks, class three; eighteen clerks, class two; nine clerks, class one; four clerks, at one thousand dollars each; six clerks, at nine hundred dollars each; one custodian of records and files, one thousand four hundred dollars; one messenger, seven hundred and twenty dollars; one messenger or messenger boy, six hundred dollars; in all, one hundred and four thousand six hundred and twenty dollars.

A proviso, here omitted, relating to details of employees from and to the Division of Accounts and Disbursements and bureaus and offices of the department, and the payment of traveling expenses of employees so detailed, is set forth above.

Total for Division of Accounts and Disbursements, one hundred and four thousand six hundred and twenty dollars.

Act August 10, 1912, c. 284, 37 Stat. 293.

These are provisions of the agricultural appropriation act for the fiscal year 1913, cited above.

DIVISION OF PUBLICATIONS.

ACT MARCH 1, 1899, c. 325. (30 Stat. 947.)

Chief of division.

* * * One editor, who shall be chief of division, * * *.

Act March 1, 1899, c. 325, 30 Stat. 948.

This is a provision of the agricultural appropriation act for the fiscal year 1900, cited above. Provisions in the same words are contained in the similar acts for subsequent fiscal years. The provision in the act for the fiscal year 1913 is set forth on p. 230, *post*.

ACT MARCH 3, 1905, c. 1405. (33 Stat. 861.)

Assistant chief of division.

* * * one editor, who shall be assistant chief of division,
* * *

Act March 3, 1905, c. 1405, 33 Stat. 877.

This is a provision of the agricultural appropriation act for the fiscal year 1906, cited above. Provisions in the same words are contained in the similar acts for subsequent fiscal years. The provision in the act for the fiscal year 1913 is set forth on p. 230, *post*.

ACT AUGUST 24, 1912, c. 355. (37 Stat. 417.)

Printing and binding; farmers' bulletins; distribution.

For the Department of Agriculture, including not to exceed \$47,000 for the Weather Bureau, and including the Annual Report of the Secretary of Agriculture, as required by the Act approved January twelfth, eighteen hundred and ninety-five, and in pursuance of the provisions of Public Resolution Numbered Thirteen of the first session Fifty-ninth Congress, and also including not to exceed \$125,000 for farmers' bulletins, which shall be adapted to the interests of the people

of the different sections of the country, an equal proportion of four-fifths of which shall be delivered to or sent out under the addressed franks furnished by Senators, Representatives, and Delegates in Congress, as they shall direct, \$475,000.

Act August 24, 1912, c. 355, 37 Stat. 482.

This is a provision under the head "Public printing and binding," in the sundry civil appropriation act for the fiscal year 1913, cited above. Similar appropriations for printing and binding for the Weather Bureau and of the Annual Report of the Secretary of Agriculture, were made in the sundry civil appropriation acts for previous fiscal years. The provision relating to farmers' bulletins is a substantial re-enactment of provisions of the agricultural appropriation acts for the fiscal years 1895 to 1907, inclusive, and of the sundry civil appropriation acts for the fiscal years thereafter.

The requirement of act January 12, 1895, c. 23, s. 73, relating to the Annual Report of the Secretary of Agriculture, mentioned in this provision, is set forth on p. 23, *ante*.

Res. March 30, 1906, No. 13, relating to the public printing, also mentioned in this provision, is set forth on p. 365, *post*, under "Public Printing."

Provisions of act June 30, 1906, c. 3913, for the notification of Members, etc., of Congress of titles, character, and allotments of farmers' bulletins, the printing of the titles on envelopes inclosing same, and the disposition of uncalled for quotas, are set forth below.

ACT JUNE 30, 1906, c. 3913. (34 Stat. 669.)

Notification of Members, etc., of Congress of titles and character, and allotments of farmers' bulletins; printing of the titles on the envelopes inclosing same; disposition of uncalled for quotas.

* * * for the preparation, printing, and distribution of farmers' bulletins, * * * *Provided*, That the Secretary of Agriculture shall notify Senators, Representatives, and Delegates in Congress of the title and character of each such bulletin, with the total number to which each Senator, Representative, and Delegate may be entitled for such distribution; and on the face of the envelope inclosing said bulletins shall be printed the title of each bulletin contained therein: *Provided further*, That all such bulletins included in the quotas of Senators, Representatives, or Delegates not called for on or before the thirty-first day of May in each fiscal year shall revert to the Secretary of Agriculture, and be available to him, either for miscellaneous distribution or in making up Congressional quotas for the next fiscal year; * * *.

Act June 30, 1906, c. 3913, 34 Stat. 690.

These are provisos of the agricultural appropriation act for the fiscal year 1907, cited above. The proviso relating to the notification of Members, etc., of Congress of titles, character, and allotments of farmers' bulletins and the printing of titles on the envelopes inclosing the same, is a substantial re-enactment of a provision of the agricultural appropriation act for the fiscal year 1895 and subsequent fiscal years. The proviso relating to the disposition of uncalled for quotas is a substantial repetition of provisions of the agricultural appropriation acts for the fiscal year 1900 and subsequent fiscal years.

ACT AUGUST 10, 1912, c. 284. (37 Stat. 269.)

SALARIES, DIVISION OF PUBLICATIONS: One editor, who shall be chief of division, three thousand two hundred and fifty dollars; one editor, who shall be assistant chief of division, two thousand two hundred and fifty dollars; one chief clerk, two thousand dollars;

two assistant editors, at two thousand dollars each; one assistant editor, one thousand eight hundred dollars; four assistant editors at one thousand six hundred dollars each; one assistant editor, one thousand four hundred dollars; one assistant editor in charge of indexing, two thousand dollars; one indexer, one thousand four hundred dollars; one assistant in charge of illustrations, two thousand dollars; one draftsman or photographer, one thousand five hundred dollars; two draftsmen or photographers, at one thousand four hundred dollars each; six draftsmen or photographers, at one thousand two hundred dollars each; one assistant photographer, nine hundred dollars; one assistant in charge of document section, two thousand dollars; one assistant in document section, one thousand eight hundred dollars; one foreman, miscellaneous distribution, one thousand five hundred dollars; one assistant foreman, miscellaneous distribution, one thousand one hundred dollars; one foreman, Farmers' Bulletin distribution, one thousand five hundred dollars; one forewoman, one thousand four hundred dollars; one forewoman, one thousand two hundred dollars; one clerk, class three; seven clerks, class one; thirteen clerks, at one thousand dollars each; forty-two clerks, at nine hundred dollars each; twenty-one clerks, at eight hundred and forty dollars each; twenty skilled laborers, at eight hundred and forty dollars each; thirteen skilled laborers, at seven hundred and eighty dollars each; twenty-six skilled laborers, at seven hundred and twenty dollars each; one chief folder, one thousand dollars; one assistant chief folder, nine hundred and sixty dollars; three folders, at nine hundred dollars each; one skilled laborer, one thousand one hundred dollars; two skilled laborers, at one thousand dollars each; two messengers, at eight hundred and forty dollars each; four messengers, at seven hundred and twenty dollars each; three messengers, at six hundred dollars each; two messengers or messenger boys, at four hundred and eighty dollars each; two messengers or messenger boys, at four hundred and twenty dollars each; two messenger or messenger boys, at three hundred and sixty dollars each; two laborers, at six hundred and sixty dollars each; one laborer, six hundred dollars; four charwomen, at four hundred and eighty dollars each; three charwomen, at two hundred and forty dollars each; in all, one hundred and ninety-four thousand seven hundred dollars.

GENERAL EXPENSES, DIVISION OF PUBLICATIONS: For miscellaneous objects of expenditure in connection with the publication, indexing, illustration, and distribution of bulletins, documents, and reports, as follows:

For labor-saving machinery for addressing and mailing documents, including necessary supplies, three thousand dollars;

For envelopes, stationery, and materials used in the distribution of documents, eleven thousand five hundred dollars;

For office furniture and fixtures, one thousand dollars;

For photographic equipment and for photographic materials and artists' tools and supplies, five thousand dollars;

For telephone and telegraph service and freight and express charges, five hundred dollars;

For wagons, bicycles, horses, harness, and maintenance of the same, one thousand dollars;

For purchase of manuscripts, traveling expenses, electrotypes, illustrations, and other expenses not otherwise provided for, three thousand dollars;

In all, for general expenses, twenty-five thousand dollars.

Total for Division of Publications, two hundred and nineteen thousand seven hundred dollars.

Act August 10, 1912, c. 284, 37 Stat. 294.

These are provisions of the agricultural appropriation act for the fiscal year 1913, cited above.

BUREAU OF STATISTICS.

ACT MARCH 3, 1903, c. 1008. (32 Stat. 1147.)

Chief of bureau; assistant chief of bureau.

* * * One statistician, who shall be chief of bureau, * * *
one assistant statistician, who shall be assistant chief of bureau,
* * *

Act March 3, 1903, c. 1008, 32 Stat. 1162.

These are provisions of the agricultural appropriation act for the fiscal year 1904, cited above. Provisions in the same words are contained in the similar acts for subsequent fiscal years. The provisions in the act for the fiscal year 1913 are set forth on p. 235, *post*. Provisions for "One statistician, who shall be chief of division," are contained in the agricultural appropriation acts for the fiscal years 1896 to 1903, inclusive, and provisions for "one assistant statistician, who shall be assistant chief of division," are contained in the acts for the fiscal years 1900 to 1903, inclusive.

ACT MARCH 4, 1909, c. 301. (35 Stat. 1039.)

Monthly crop reports; condition reports of the cotton crop.

* * * That hereafter the monthly crop reports, which shall be gathered as far as practicable from practical farmers, and which shall be issued on or before the tenth of each month, shall embrace statements of the conditions of crops by States, in the United States, with such explanations, comparisons, and information as may be useful for illustrating the above matter, and that it shall be submitted to and officially approved by the Secretary of Agriculture before being issued or published: *Provided further*, That hereafter the condition reports of the cotton crop shall be issued on the same day in October each year as the first ginner's report of actual cotton ginned, * * *

Act of March 4, 1909, c. 301, 35 Stat. 1053.

These provisos annexed to the appropriations for "General expenses, Bureau of Statistics," in the agricultural appropriation act for the fiscal year 1910, cited above. Provisos relating to the monthly crop reports in nearly the same language, without the word "hereafter," were contained in the agricultural appropriation acts for the fiscal years 1893 and thereafter. Provisos relating to the condition reports of the cotton crop, in substantially the same language, also without the word "hereafter," were contained in the agricultural appropriation acts for the fiscal years 1907 and thereafter.

A proviso, set forth on p. 24, *ante*, annexed to act January 12, 1895, c. 23, s. 89, authorizes the Secretary of Agriculture to print such number of copies of the monthly crop report as he shall deem requisite.

ACT AUGUST 10, 1912, c. 284. (37 Stat. 269.)

Reports from branches of department and recommendations to Congress relative to marketing, etc., of farm products.

And that the Secretary of Agriculture be and he is hereby directed to secure from the various branches of the department having au-

thority to investigate such matters, reports relative to systems of marketing farm products, cooperative or otherwise, in practice in various sections of the United States and of the demand for such products in various trade centers, and shall make such recommendations to Congress relative to further investigations of these questions and the dissemination of such information, as he shall deem necessary.

Act August 10, 1912, c. 284, 37 Stat. 295.

This is a paragraph of the agricultural appropriation act for the fiscal year 1913, cited above.

ACT MAY 27, 1912, c. 135. An act authorizing the Secretary of Agriculture to issue certain reports relating to cotton. (37 Stat. 118.)

Annual report of number of acres of cotton in cultivation.

That the Secretary of Agriculture be directed to cause the Bureau of Statistics of the Department of Agriculture to issue a report, on or about the first Monday in July of each year, showing by States and in total the number of acres of cotton then in cultivation in the United States.

Act May 27, 1912, c. 135, s. 1, 37 Stat. 118.

Annual estimate of total cotton production.

SEC. 2. That the Secretary of Agriculture shall cause the Bureau of Statistics of the Department of Agriculture to issue each year, immediately following the publication of the ginning report of the Census Bureau of December first, an estimate of the total production of cotton in the United States for the current crop year.

Act May 27, 1912, c. 135, s. 2, 37 Stat. 118.

Repeal.

SEC. 3. That all Acts or parts of Acts inconsistent with the foregoing provisions be, and the same are hereby, repealed.

Act May 27, 1912, c. 135, s. 3, 37 Stat. 118.

ACT JULY 22, 1912, c. 249. An act authorizing the Director of the Census to collect and publish statistics of cotton. (37 Stat. 198.)

Collection and publication of cotton statistics by Director of Census.

That the Director of the Census be, and he is hereby, authorized and directed to collect and publish statistics concerning the amount of cotton ginned; the quantity of raw cotton consumed in manufacturing establishments of every character; the quantity of baled cotton on hand; the number of active consuming cotton spindles; and the quantity of cotton imported and exported, with the country of origin and destination.

Act July 22, 1912, c. 249, s. 1, 37 Stat. 198.

Statistics of cotton ginned, consumed in manufacture, baled cotton on hand, number of spindles, and cotton imported and exported; statistics to be furnished Bureau of Statistics, Department of Agriculture.

SEC. 2. That the statistics of the quantity of cotton ginned shall show the quantity ginned from each crop prior to September first, September twenty-fifth, October eighteenth, November first, November fourteenth, December first, December thirteenth, January first, January sixteenth, and March first, and shall be published as soon as possible after these respective dates. The quantity of cotton

consumed in manufacturing establishments, the quantity of baled cotton on hand, the number of active consuming cotton spindles, and the statistics of cotton imported and exported shall relate to each calendar month, and shall be published as soon as possible after the close of the month. Each report published by the Bureau of the Census of the quantity of cotton ginned shall carry with it the latest available statistics concerning the quantity of cotton consumed, stocks of baled cotton on hand, the number of cotton-consuming spindles, and the quantity of cotton imported and exported. All of these publications containing statistics of cotton shall be mailed by the Director of the Census to all cotton ginneries, cotton manufacturers, and cotton warehousemen, and to all daily newspapers throughout the United States. The Director of the Census shall furnish to the Bureau of Statistics of the Department of Agriculture, immediately prior to the publication of each report of that bureau regarding the cotton crop, the latest available statistics hereinbefore mentioned, and the said Bureau of Statistics shall publish the same in connection with each of its reports concerning cotton.

Act July 22, 1912, c. 249, s. 2, 37 Stat. 198.

Information furnished confidential; publishing or communicating without authority; punishment.

SEC. 3. That the information furnished by any individual establishment under the provisions of this Act shall be considered as strictly confidential and shall be used only for the statistical purpose for which it is supplied. Any employee of the Bureau of the Census who, without the written authority of the Director of the Census, shall publish or communicate any information given into his possession by reason of his employment under the provisions of this Act shall be guilty of a misdemeanor and shall, upon conviction thereof, be fined not less than three hundred dollars nor more than one thousand dollars or imprisoned for a period of not exceeding one year, or both so fined and imprisoned, at the discretion of the court.

Act July 22, 1912, c. 249, s. 3, 37 Stat. 198.

Owners, etc., of ginneries, factories, warehouses, etc., required to furnish information concerning cotton.

SEC. 4. That it shall be the duty of every owner, president, treasurer, secretary, director, or other officer or agent of any cotton ginnery, manufacturing establishment, warehouse, or other place where cotton is ginned, manufactured, or stored, whether conducted as a corporation, firm, limited partnership, or by individuals, when requested by the Director of the Census or by any special agent or other employee of the Bureau of the Census acting under the instructions of said director, to furnish completely and correctly, to the best of his knowledge, all of the information concerning the quantity of cotton ginned, consumed, or on hand, and the number of cotton-consuming spindles. The request of the Director of the Census for information concerning the quantity of cotton ginned or consumed, stocks of cotton on hand, and number of spindles may be made in writing or by a visiting representative, and if made in writing shall be forwarded by registered mail, and the registry receipt of the Post Office Department shall be accepted as evidence of such demand. Any owner, president, treasurer, secretary, director, or other officer

or agent of any cotton ginnery, manufacturing establishment, warehouse, or other place where cotton is ginned or stored, who, under the conditions hereinbefore stated, shall refuse or willfully neglect to furnish any of the information herein provided for or shall willfully give answers that are false shall be guilty of a misdemeanor and, upon conviction thereof, shall be fined not less than three hundred dollars or more than one thousand dollars or imprisoned for a period of not exceeding one year, or both so fined and imprisoned, at the discretion of the court.

Act July 22, 1912, c. 249, s. 4, 37 Stat. 198.

Information concerning production, consumption, and stocks of cotton and number of spindles in foreign countries, to be furnished Department of Agriculture.

SEC. 5. That in addition to the information regarding cotton in the United States hereinbefore provided for, the Director of the Census shall compile, by correspondence or the use of published reports and documents, any available information concerning the production, consumption, and stocks of cotton in foreign countries, and the number of cotton-consuming spindles in such countries. Each report published by the Bureau of the Census regarding cotton shall contain an abstract of the latest available information obtained under the provisions of this section, and the Director of the Census shall furnish the same to the Department of Agriculture for publication in connection with the reports of that department concerning cotton in the same manner as in the case of statistics relating to the United States.

Act July 22, 1912, c. 249, s. 5, 36 Stat. 199.

ACT AUGUST 10, 1912, c. 284. (37 Stat. 269.)

SALARIES, BUREAU OF STATISTICS: One statistician, who shall be chief of bureau, four thousand dollars; one assistant statistician, who shall be assistant chief of bureau, two thousand five hundred dollars; one chief clerk, one thousand eight hundred dollars; six clerks, class four; nine clerks, class three; twelve clerks, class two; two clerks, at one thousand three hundred dollars each; seventeen clerks, class one; fourteen clerks, at one thousand dollars each; twenty-one clerks, at nine hundred dollars each; two messengers, at eight hundred and forty dollars each; two messengers or laborers, at seven hundred and twenty dollars each; two messengers or laborers, at six hundred and sixty dollars each; one messenger or messenger boy, four hundred and eighty dollars; one charwoman, five hundred and forty dollars; two charwomen, at three hundred and sixty dollars each; in all, one hundred and twelve thousand three hundred and eighty dollars.

GENERAL EXPENSES, BUREAU OF STATISTICS: For all necessary expenses for collecting domestic and foreign agricultural statistics, compiling, writing, and illustrating statistical matter for monthly, annual, and special reports, and for special investigations and compilations, as follows:

Salaries and employment of labor in the city of Washington and elsewhere, supplies, telegraph and telephone service, freight and express charges, and all other necessary miscellaneous administrative expenses, twenty-four thousand seven hundred dollars;

Salaries and traveling and other necessary expenses of special field agents, sixty-eight thousand nine hundred dollars;

Salaries and traveling and other necessary expenses of State statistical agents, thirty-two thousand two hundred dollars;

Traveling and other necessary expenses of official and special investigators, two thousand five hundred dollars;

In all, for general expenses, one hundred and twenty-eight thousand three hundred dollars.

* * * * *

A paragraph, here omitted, relating to reports from branches of the department and recommendations to Congress relative to marketing, etc., of farm products, is set forth above.

Total for Bureau of Statistics, two hundred and forty thousand six hundred and eighty dollars.

Act August 10, 1912, c. 284, 37 Stat. 295.

These are provisions of the agricultural appropriation act for the fiscal year 1913, cited above.

LIBRARY.

REV. ST. SEC. 525.

Library of department in charge of Secretary.

This section, set forth on p. 13, *ante*, provides that the Commissioner of Agriculture shall have charge of the Library of the department.

ACT MARCH 4, 1909, c. 301. (35 Stat. 1039.)

Advances for subscriptions for publications for department.

* * * That hereafter section thirty-six hundred and forty-eight of the Revised Statutes shall not apply to the subscriptions for publications for the Department of Agriculture, and the Secretary of Agriculture is authorized to pay in advance for any publications for the use of this department.

Act March 4, 1909, c. 301, 35 Stat. 1054.

This is a proviso annexed to the appropriation for "General expenses, Library" in the agricultural appropriation act for the fiscal year 1910, cited above. Provisos in similar language, without the word "hereafter," were contained in the similar acts for the fiscal year 1904 and intervening fiscal years.

Rev. St. sec. 3648, mentioned in this provision, is set forth on p. 345, *post*, under the heading "Public Moneys and Accounting."

ACT MAY 23, 1908, c. 192. (35 Stat. 251.)

Sale of copies of card index of publications of department.

And hereafter the Secretary of Agriculture may furnish to such institutions or individuals as may care to buy them, copies of the card index of the publications of the Department and of other agricultural literature prepared by the library, and charge for the same a price covering the additional expense involved in the preparation of these copies.

Act May 23, 1908, c. 192, 35 Stat. 264.

This is a provision of the agricultural appropriation act for the fiscal year 1909, cited above. Provisions in substantially the same language, but without the word "hereafter," accompanied appropriations for the Library in the similar appropriation acts for 1904 and subsequent fiscal years.

A similar provision, relating to the sale of a card index of agricultural literature prepared by the Office of Experiment Stations, is set forth on p. 253, *post*, under "Office of Experiment Stations."

ACT MARCH 4, 1911, c. 238. (36 Stat. 1235.)

Details of employees from and to Library and bureaus and offices of the department.

* * * That hereafter employees of the Library may be temporarily detailed by the Secretary of Agriculture for library service in the bureaus and offices of the department, and employees of the bureaus and offices of the department engaged in library work may also be temporarily detailed to the Library.

Act March 4, 1911, c. 238, 36 Stat. 1261.

This is a proviso annexed to the agricultural appropriation act for the fiscal year 1912, cited above.

ACT AUGUST 10, 1912, c. 284. (37 Stat. 269.)

SALARIES, LIBRARY, DEPARTMENT OF AGRICULTURE: One librarian, two thousand dollars; one clerk, class three; one clerk, class two; two clerks, class one, one of whom shall be a translator; five clerks, at one thousand dollars each; five clerks, at nine hundred dollars each; one clerk, eight hundred and forty dollars; two cataloguers, at one thousand two hundred dollars each; three cataloguers, at one thousand dollars each; one messenger, seven hundred and twenty dollars; three messengers, messenger boys, or laborers, at four hundred and eighty dollars each; one charwoman, four hundred and eighty dollars; in all, twenty-five thousand seven hundred and eighty dollars.

GENERAL EXPENSES, LIBRARY: For books of reference, technical and scientific books, papers and periodicals, and for expenses incurred in completing imperfect series; for the employment of additional assistants in the city of Washington and elsewhere; for official traveling expenses, and for library fixtures, library cards, supplies, and other material, fifteen thousand five hundred dollars.

Total for Library, forty-one thousand two hundred and eighty dollars.

Act August 10, 1912, c. 284, 37 Stat. 296.

These are provisions of the agricultural appropriation act for the fiscal year 1913, cited above.

OFFICE OF EXPERIMENT STATIONS.

ACT JULY 2, 1862, c. 130. An act donating public lands to the several States and Territories which may provide colleges for the benefit of agriculture and the mechanic arts. (12 Stat. 503.)

Public lands granted to States for agricultural colleges; mineral lands excepted.

That there be granted to the several States, for the purposes hereinafter mentioned, an amount of public land, to be apportioned to each State a quantity equal to thirty thousand acres for each senator and representative in Congress to which the States are respectively entitled by the apportionment under the census of eighteen hundred and sixty: *Provided*, That no mineral lands shall be selected or purchased under the provisions of this act.

Act July 2, 1862, c. 130, s. 1, 12 Stat. 503.

Apportionment of lands granted, and selection thereof from lands for sale; land scrip in lieu of deficiency in apportionment; location of lands for which scrip may be issued.

SEC. 2. That the land aforesaid, after being surveyed, shall be apportioned to the several States in sections or subdivisions of sections, not less than one quarter of a section; and whenever there are public lands in a State subject to sale at private entry at one dollar and twenty-five cents per acre, the quantity to which said State shall be entitled shall be selected from such lands within the limits of such State, and the Secretary of the Interior is hereby directed to issue to each of the States in which there is not the quantity of public lands subject to sale at private entry at one dollar and twenty-five cents per acre to which said State may be entitled under the provisions of this act, land scrip to the amount in acres for the deficiency of its distributive share: said scrip to be sold by said State and the proceeds thereof applied to the uses and purposes prescribed in this act, and for no other use or purpose whatsoever: *Provided*, That in no case shall any State to which land scrip may thus be issued be allowed to locate the same within the limits of any other State, or of any Territory of the United States, but their assignees may thus locate said land scrip upon any of the unappropriated lands of the United States subject to sale at private entry at one dollar and twenty-five cents, or less, per acre: *And provided, further*, That not more than one million acres shall be located by such assignees in any one of the States: *And provided, further*, That no such location shall be made before one year from the passage of this act.

Act July 2, 1862, c. 130, s. 2, 12 Stat. 503.

Expenses of management, etc., of lands selected, to be paid by States.

SEC. 3. That all the expenses of management, superintendence, and taxes from date of selection of said lands, previous to their sales, and all expenses incurred in the management and disbursement of the moneys which may be received therefrom, shall be paid by the States to which they may belong, out of the treasury of said States, so that the entire proceeds of the sale of said lands shall be applied without any diminution whatever to the purposes hereinafter mentioned.

Act July 2, 1862, c. 130, s. 3, 12 Stat. 504.

Investment of proceeds of sale of land scrip; moneys so invested a perpetual fund for endowment, etc., of colleges for teaching branches relating to agriculture and mechanic arts, etc.

SEC. 4. That all moneys derived from the sale of lands aforesaid by the States to which the lands are apportioned, and from the sales of land-scrip hereinbefore provided for, shall be invested in stocks of the United States, or of the States, or some other safe stocks; or the same may be invested by the States having no State stocks, in any other manner after the legislatures of such States shall have assented thereto, and engaged that such funds shall yield not less than five per centum upon the amount so invested and that the principal thereof shall forever remain unimpaired: *Provided*, That the moneys so invested or loaned shall constitute a perpetual fund, the capital of which shall remain forever undiminished (except so far as may be provided in section five of this act), and the interest of which shall be inviolably appropriated, by each State which may take and claim the benefit of this act, to the endowment, support, and maintenance of at

least one college where the leading object shall be without excluding other scientific and classical studies, and including military tactics, to teach such branches of learning as are related to agriculture and the mechanic arts, in such manner as the legislatures of the States may respectively prescribe, in order to promote the liberal and practical education of the industrial classes in the several pursuits and professions in life.

Act July 2, 1862, c. 130, s. 4, 12 Stat. 504, as amended by act March 3, 1883, c. 102, 22 Stat. 484, entitled "An act to amend an act donating public lands to the several States and Territories which may provide colleges for the benefit of agriculture and the mechanic arts."

An annual appropriation of \$15,000 from moneys arising from sales of public lands, for the more complete endowment and maintenance of agricultural colleges, is made, with a further annual increase for ten years, by act August 30, 1890, c. 841, set forth on p. 241, *post*; and an annual appropriation for the same purposes in addition to the sums named in that act, is made, with a further annual increase for five years, the annual sum to be paid thereafter to be \$50,000, by provisions of act March 4, 1907, c. 2907, set forth on p. 244, *post*.

Conditions of grant of land and land scrip.

SEC. 5. That the grant of land and land scrip hereby authorized shall be made on the following conditions, to which, as well as to the provisions hereinbefore contained, the previous assent of the several States shall be signified by legislative acts:

Diminution of fund to be restored by State; interest to be applied to purposes mentioned in section 4.

First. If any portion of the fund invested, as provided by the foregoing section, or any portion of the interest thereon, shall, by any action or contingency, be diminished or lost, it shall be replaced by the State to which it belongs, so that the capital of the fund shall remain forever undiminished; and the annual interest shall be regularly applied without diminution to the purposes mentioned in the fourth section of this act, except that a sum, not exceeding ten per centum upon the amount received by any State under the provisions of this act, may be expended for the purchase of lands for sites or experimental farms, whenever authorized by the respective legislatures of said States.

Fund not to be used for buildings.

Second. No portion of said fund, nor the interest thereon, shall be applied, directly or indirectly, under any pretence whatever, to the purchase, erection, preservation, or repair of any building or buildings.

Limitation on time for claiming benefit of provisions of act; payment by State to United States of amounts received for lands previously sold.

Third. Any State which may take and claim the benefit of the provisions of this act shall provide, within five years, at least not less than one college, as described in the fourth section of this act, or the grant to such State shall cease; and said State shall be bound to pay the United States the amount received of any lands previously sold and that the title to purchasers under the State shall be valid.

Annual report of progress, etc., of colleges.

Fourth. An annual report shall be made regarding the progress of each college, recording any improvements and experiments made, with their cost and results, and such other matters, including State industrial and economical statistics, as may be supposed useful; one

copy of which shall be transmitted by mail free, by each, to all the other colleges which may be endowed under the provisions of this act, and also one copy to the Secretary of the Interior.

Computation of price of lands selected from those double minimum price.

Fifth. When lands shall be selected from those which have been raised to double the minimum price, in consequence of railroad grants, they shall be computed to the States at the maximum price and the number of acres proportionally diminished.

States in rebellion not to have benefit of act.

Sixth. No State while in a condition of rebellion or insurrection against the government of the United States shall be entitled to the benefit of this act.

Limitation on time for acceptance of benefits of act.

Seventh. No State shall be entitled to the benefits of this act unless it shall express its acceptance thereof by its legislature within two years from the date of its approval by the President.

Act July 2, 1862, c. 130, s. 5, 12 Stat. 504.

The time in which States may comply with the provisions of this act, as provided in paragraph seventh of this section, is extended so that the acceptance of the benefits of the act may be expressed within three years from the passage of the act, and the time in which colleges required by the act may be established, as provided in paragraph third of this section, is extended to five years from the date of filing such acceptance, by act July 23, 1866, c. 209, set forth below.

Land scrip not subject to location until after July 1, 1863.

SEC. 6. That land scrip issued under the provisions of this act shall not be subject to location until after the first day of January, one thousand eight hundred and sixty-three.

Act July 2, 1862, c. 130, s. 6, 12 Stat. 505.

Fees of land officers.

SEC. 7. That the land officers shall receive the same fees for locating land scrip issued under the provisions of this act as is now allowed for the location of military bounty land warrants under existing laws: *Provided*, their maximum compensation shall not be thereby increased.

Act July 2, 1862, c. 130, s. 7, 12 Stat. 505.

Governors of States to report annually to Congress.

SEC. 8. That the Governors of the several States to which scrip shall be issued under this act shall be required to report annually to Congress all sales made of such scrip until the whole shall be disposed of, the amount received for the same, and what appropriation has been made of the proceeds.

Act July 2, 1862, c. 130, s. 7, 12 Stat. 505.

ACT JULY 23, 1866, c. 209. An act to amend the fifth section of an act entitled "An act donating public lands to the several States and Territories which may provide colleges for the benefit of agriculture and the mechanic arts," approved July 2, 1862, so as to extend the time within which the provisions of said act shall be accepted and such colleges established. (14 Stat. 208.)

Limitation of time extended for acceptance of benefits of act July 2, 1862, and for establishing agricultural colleges provided for therein.

That the time in which the several States may comply with the provisions of the act of July two, eighteen hundred and sixty-two,

entitled "An act donating public lands to the several States and Territories which may provide colleges for the benefit of agriculture and the mechanic arts," is hereby extended so that the acceptance of the benefits of the said act may be expressed within three years from the passage of this act, and the colleges required by the said act may be provided within five years from the date of the filing of such acceptance with the commissioner of the general land office: *Provided*, That when any Territory shall become a State and be admitted into the Union, such new State shall be entitled to the benefits of the said act of July two, eighteen hundred and sixty-two, by expressing the acceptance therein required within three years from the date of its admission into the Union, and providing the college or colleges within five years after such acceptance, as prescribed in this act: *Provided further*, That any State which has heretofore expressed its acceptance of the act herein referred to shall have the period of five years within which to provide at least one college, as described in the fourth section of said act, after the time for providing said college, according to the act of July second, eighteen hundred and sixty-two, shall have expired.

Act July 23, 1866, c. 209, 14 Stat. 208.

Act July 2, 1862, c. 130, s. 5, amended by this act, is set forth above.

ACT AUGUST 30, 1890, c. 841. An act to apply a portion of the proceeds of the public lands to the more complete endowment and support of the colleges for the benefit of agriculture and the mechanic arts established under the provisions of an act of Congress approved July second, eighteen hundred and sixty-two. (26 Stat. 417.)

Increased appropriation, out of moneys arising from sales of public lands, for agricultural colleges.

That there shall be, and hereby is, annually appropriated, out of any money in the Treasury not otherwise appropriated, arising from the sales of public lands, to be paid as hereinafter provided, to each State and Territory for the more complete endowment and maintenance of colleges for the benefit of agriculture and the mechanic arts now established, or which may be hereafter established, in accordance with an act of Congress approved July second, eighteen hundred and sixty-two, the sum of fifteen thousand dollars for the year ending June thirtieth, eighteen hundred and ninety, and an annual increase of the amount of such appropriation thereafter for ten years by an additional sum of one thousand dollars over the preceding year, and the annual amount to be paid thereafter to each State and Territory shall be twenty-five thousand dollars to be applied only to instruction in agriculture, the mechanic arts, the English language and the various branches of mathematical, physical, natural and economic science, with special reference to their applications in the industries of life, and to the facilities for such instruction: *Provided*, That no money shall be paid out under this act to any State or Territory for the support and maintenance of a college where a distinction of race or color is made in the admission of students, but the establishment and maintenance of such colleges separately for white and colored students shall be held to be a com-

pliance with the provisions of this act if the funds received in such State or Territory be equitably divided as hereinafter set forth: *Provided*, That in any State in which there has been one college established in pursuance of the act of July second, eighteen hundred and sixty-two, and also in which an educational institution of like character has been established, or may be hereafter established, and is now aided by such State from its own revenue, for the education of colored students in agriculture and the mechanic arts, however named or styled, or whether or not it has received money heretofore under the act to which this act is an amendment, the legislature of such State may propose and report to the Secretary of the Interior a just and equitable division of the fund to be received under this act between one college for white students and one institution for colored students established as aforesaid, which shall be divided into two parts and paid accordingly, and thereupon such institution for colored students shall be entitled to the benefits of this act and subject to its provisions, as much as it would have been if it had been included under the act of eighteen hundred and sixty-two, and the fulfillment of the foregoing provisions shall be taken as a compliance with the provision in reference to separate colleges for white and colored students.

Act August 30, 1890, c. 841, s. 1, 26 Stat. 417.

Act July 2, 1862, c. 130, s. 4, mentioned in this section, is set forth above.

An annual appropriation for the more complete endowment and maintenance of agricultural colleges, in addition to the sums named in this act, is made, with a further annual increase for five years, the annual sum to be paid thereafter to be \$50,000, by provisions of act March 4, 1907, c. 2907, set forth below.

Time, manner, etc., of annual payments to States, etc., of sums appropriated.

SEC. 2. That the sums hereby appropriated to the States and Territories for the further endowment and support of colleges shall be annually paid on or before the thirty-first day of July of each year, by the Secretary of the Treasury, upon the warrant of the Secretary of the Interior, out of the Treasury of the United States, to the State or Territorial treasurer, or to such officer as shall be designated by the laws of such State or Territory to receive the same, who shall, upon the order of the trustees of the college, or the institution for colored students, immediately pay over said sums to the treasurers of the respective colleges or other institutions entitled to receive the same, and such treasurers shall be required to report to the Secretary of Agriculture and to the Secretary of the Interior, on or before the first day of September of each year, a detailed statement of the amount so received and of its disbursement. The grants of moneys authorized by this act are made subject to the legislative assent of the several States and Territories to the purpose of said grants: *Provided*, That payments of such installments of the appropriation herein made as shall become due to any State before the adjournment of the regular session of legislature meeting next after the passage of this act shall be made upon the assent of the governor thereof, duly certified to the Secretary of the Treasury.

Act August 30, 1890. c. 841, s. 2, 26 Stat. 418.

Diminution of fund to be restored to State, etc.; fund not to be applied to buildings; reports of condition and progress of colleges, and as to experiment stations.

SEC. 3. That if any portion of the moneys received by the designated officer of the State or Territory for the further and more complete endowment, support, and maintenance of colleges, or of institutions for colored students, as provided in this act, shall, by any action or contingency, be diminished or lost, or be misapplied, it shall be replaced by the State or Territory to which it belongs, and until so replaced no subsequent appropriation shall be apportioned or paid to such State or Territory; and no portion of said moneys shall be applied, directly or indirectly, under any pretense whatever, to the purchase, erection, preservation, or repair of any building or buildings. An annual report by the president of each of said colleges shall be made to the Secretary of Agriculture, as well as to the Secretary of the Interior, regarding the condition and progress of each college, including statistical information in relation to its receipts and expenditures, its library, the number of its students and professors, and also as to any improvements and experiments made under the direction of any experiment stations attached to said colleges, with their cost and results, and such other industrial and economical statistics as may be regarded as useful, one copy of which shall be transmitted by mail free to all other colleges further endowed under this act.

Act August 30, 1890, c. 841, s. 3, 26 Stat. 418.

Annual ascertainment and certification of amounts due States, etc.; certificates of appropriations withheld; appeals to Congress.

SEC. 4. That on or before the first day of July in each year, after the passage of this act, the Secretary of the Interior shall ascertain and certify to the Secretary of the Treasury as to each State and Territory whether it is entitled to receive its share of the annual appropriation for colleges, or of institutions for colored students, under this act, and the amount which thereupon each is entitled, respectively, to receive. If the Secretary of the Interior shall withhold a certificate from any State or Territory of its appropriation the facts and reasons therefor shall be reported to the President, and the amount involved shall be kept separate in the Treasury until the close of the next Congress, in order that the State or Territory may, if it should so desire, appeal to Congress from the determination of the Secretary of the Interior. If the next Congress shall not direct such sum to be paid it shall be covered into the Treasury. And the Secretary of the Interior is hereby charged with the proper administration of this law.

Act August 30, 1890, c. 841, s. 4, 26 Stat. 419.

Annual reports to Congress of disbursements and of withholding appropriations.

SEC. 5. That the Secretary of the Interior shall annually report to Congress the disbursements which have been made in all the States and Territories, and also whether the appropriation of any State or Territory has been withheld, and if so, the reasons therefor.

Act August 30, 1890, c. 841, s. 5, 26 Stat. 419.

Reservation of power to amend, etc., or repeal act.

SEC. 6. Congress may at any time amend, suspend, or repeal any or all of the provisions of this act.

Act August 30, 1890, c. 841, s. 6, 26 Stat. 419.

Provisions for the selection of lands for agricultural college purposes are contained in act April 2, 1884, c. 20, 23 Stat. 10.

Provisions for the selection of lands for agricultural college purposes by the State of Mississippi are contained in act February 20, 1895, c. 106, 28 Stat. 673.

Receipts from the sale and disposal of public lands in certain States and Territories are appropriated to a "reclamation fund" by act June 17, 1902, c. 1093, s. 1, 32 Stat. 388, and by a proviso annexed to said section, in case the receipts from the sale and disposal of other public lands are insufficient to meet the requirements for the support of agricultural colleges under this act, the sum necessary is to be provided from any moneys in the Treasury not otherwise appropriated.

ACT MARCH 4, 1907, c. 2907. (34 Stat. 1256.)

Increased annual appropriation for agricultural colleges.

That there shall be, and hereby is, annually appropriated, out of any money in the Treasury not otherwise appropriated, to be paid as hereinafter provided, to each State and Territory for the more complete endowment and maintenance of agricultural colleges now established, or which may hereafter be established, in accordance with the Act of Congress approved July second, eighteen hundred and sixty-two, and the Act of Congress approved August thirtieth, eighteen hundred and ninety, the sum of five thousand dollars, in addition to the sums named in the said Act, for the fiscal year ending June thirtieth, nineteen hundred and eight, and an annual increase of the amount of such appropriation thereafter for four years by an additional sum of five thousand dollars over the preceding year, and the annual sum to be paid thereafter to each State and Territory shall be fifty thousand dollars, to be applied only for the purposes of the agricultural colleges as defined and limited in the Act of Congress approved July second, eighteen hundred and sixty-two, and the Act of Congress approved August thirtieth, eighteen hundred and ninety.

Time, manner, etc., of annual payments to States, etc.

That the sum hereby appropriated to the States and Territories for the further endowment and support of the colleges shall be paid by, to, and in the manner prescribed by the Act of Congress approved August thirtieth, eighteen hundred and ninety, entitled "An Act to apply a portion of the proceeds of the public lands to the more complete endowment and support of the colleges for the benefit of agriculture and the mechanic arts established under the provisions of the Act of Congress approved July second, eighteen hundred and sixty-two," and the expenditure of the said money shall be governed in all respects by the provisions of the said Act of Congress approved July second, eighteen hundred and sixty-two, and the said Act of Congress approved August thirtieth, eighteen hundred and ninety: *Provided*, That said colleges may use a portion of this money for providing courses for the special preparation of instructors for teaching the elements of agriculture and the mechanic arts.

Act March 4, 1907, c. 2907, 34 Stat. 1281.

These are provisions of the agricultural appropriation act for the fiscal year 1908, cited above.

Act July 2, 1862, c. 130, mentioned in these provisions, is set forth, as amended by act March 3, 1883, c. 102, on p. 237, *ante*. Act August 30, 1890, c. 841, also mentioned, is set forth above.

ACT MARCH 2, 1887, c. 314. An act to establish agricultural experiment stations in connection with the colleges established in the several States under the provisions of an act approved July second, eighteen hundred and sixty-two, and of the acts supplementary thereto. (24 Stat. 440.)

Establishment of experiment stations at State agricultural colleges.

That in order to aid in acquiring and diffusing among the people of the United States useful and practical information on subjects connected with agriculture, and to promote scientific investigation and experiment respecting the principles and applications of agricultural science, there shall be established under direction of the college or colleges or agricultural department of colleges in each State or Territory established, or which may hereafter be established, in accordance with the provisions of an act approved July second, eighteen hundred and sixty-two, entitled "An act donating public lands to the several States and Territories which may provide colleges for the benefit of agriculture and the mechanic arts," or any of the supplements to said act, a department to be known and designated as an "agricultural experiment station:" *Provided*, That in any State or Territory in which two such colleges have been or may be so established the appropriation hereinafter made to such State or Territory shall be equally divided between such colleges, unless the legislature of such State or Territory shall otherwise direct.

Act March 2, 1887, c. 314, s. 1, 24 Stat. 440.

Act July 12, 1862, c. 130, mentioned above, as amended by act March 3, 1883, c. 102, is set forth on p. 237, *ante*.

Scope of researches of experiment stations.

SEC. 2. That it shall be the object and duty of said experiment stations to conduct original researches or verify experiments on the physiology of plants and animals; the diseases to which they are severally subject, with the remedies for the same; the chemical composition of useful plants at their different stages of growth; the comparative advantages of rotative cropping as pursued under a varying series of crops; the capacity of new plants or trees for acclimation; the analysis of soils and water; the chemical composition of manures, natural or artificial, with experiments designed to test their comparative effects on crops of different kinds; the adaptation and value of grasses and forage plants; the composition and digestibility of the different kinds of food for domestic animals; the scientific and economic questions involved in the production of butter and cheese; and such other researches or experiments bearing directly on the agricultural industry of the United States as may in each case be deemed advisable, having due regard to the varying conditions and needs of the respective States or Territories.

Act March 2, 1887, c. 314, s. 2, 24 Stat. 440.

The stations are required to devote a portion of their work to examination and classification of soils of their respective States and Territories, by a provision of act March 2, 1889, c. 373, set forth on p. 252, *post*.

Provisions requiring the stations to cooperate with the Secretary of Agriculture in establishing and maintaining experimental grass stations, were contained in the agricultural appropriation acts for the fiscal years 1900 to 1906 inclusive, but were not continued thereafter. The provision

of the act for the fiscal year 1906, act March 3, 1905, c. 1405, is set forth on p. 252, *post*.

Provisions requiring the stations to cooperate with the Secretary of Agriculture in carrying out investigations on the nutritive value of various articles and commodities of human food, and in carrying out irrigation and drainage investigations, were contained in the agricultural appropriation acts for the fiscal years 1905 to 1907, inclusive, but were discontinued thereafter. The provisions of the act for the fiscal year 1907, act June 30, 1906, c. 3913, are set forth on pp. 252, 253, *post*.

Supervision of stations by Secretary of Agriculture; annual report of operations and finances.

SEC. 3. That in order to secure, as far as practicable, uniformity of methods and results in the work of said stations, it shall be the duty of the United States Commissioner of Agriculture to furnish forms, as far as practicable, for the tabulation of results of investigation or experiments; to indicate, from time to time, such lines of inquiry as to him shall seem most important; and, in general, to furnish such advice and assistance as will best promote the purpose of this act. It shall be the duty of each of said stations, annually, on or before the first day of February, to make to the governor of the State or Territory in which it is located a full and detailed report of its operations, including a statement of receipts and expenditures, a copy of which report shall be sent to each of said stations, to the said Commissioner of Agriculture, and to the Secretary of the Treasury of the United States.

Act March 2, 1887, c. 314, s. 3, 24 Stat. 441.

The Department of Agriculture is made an executive department under the supervision and control of a Secretary of Agriculture, by act February 9, 1889, c. 122, s. 1, set forth on p. 9, *ante*.

Appropriations for carrying into effect the provisions of this act, and for the enforcement of the provisions of section 3 thereof relative to their administration, are made in the agricultural appropriation acts for the fiscal years 1895 and thereafter. The provisions of the act for the fiscal year 1913 are set forth on p. 254, *post*.

Provisions that the Secretary of Agriculture shall prescribe the form of the annual financial statement required by section 3 of this act, and shall ascertain whether the expenditures under the appropriations made for the enforcement of the act are in accordance with the provisions of the act, and make report thereon to Congress, accompany the said appropriations for the enforcement of the act in the agricultural appropriation acts for the fiscal years 1895 and thereafter. The provision of the act for the fiscal year 1913 is set forth on p. 251, *post*.

Publication and distribution of bulletins; bulletins and annual reports transmitted free of postage.

SEC. 4. That bulletins or reports of progress shall be published at said stations at least once in three months, one copy of which shall be sent to each newspaper in the States or Territories in which they are respectively located, and to such individuals actually engaged in farming as may request the same, and as far as the means of the station will permit. Such bulletins or reports and the annual reports of said stations shall be transmitted in the mails of the United States free of charge for postage, under such regulations as the Postmaster-General may from time to time prescribe.

Act March 2, 1887, c. 314, s. 4, 24 Stat. 441.

Annual appropriations from sales of public lands, for expenses of stations; time, manner, etc., of payment; buildings.

SEC. 5. That for the purpose of paying the necessary expenses of conducting investigations and experiments and printing and dis-

tributing the results as hereinbefore prescribed, the sum of fifteen thousand dollars per annum is hereby appropriated to each State, to be specially provided for by Congress in the appropriations from year to year, and to each Territory entitled under the provisions of section eight of this act, out of any money in the Treasury proceeding from the sales of public lands, to be paid in equal quarterly payments, on the first day of January, April, July, and October in each year, to the treasurer or other officer duly appointed by the governing boards of said colleges to receive the same, the first payment to be made on the first day of October, eighteen hundred and eighty-seven: *Provided, however,* That out of the first annual appropriation so received by any station an amount not exceeding one-fifth may be expended in the erection, enlargement, or repair of a building or buildings necessary for carrying on the work of such station; and thereafter an amount not exceeding five per centum of such annual appropriation may be so expended.

Act March 2, 1887, c. 314, s. 5, 24 Stat. 441.

The sums apportioned to the several States and Territories are required to be paid quarterly in advance, by provisions of the agricultural appropriation acts for the fiscal year 1902 and thereafter. The provision of the act for the fiscal year 1913 is set forth on p. 254, *post*.

The sum named in this section is increased and a further annual increase for five years is provided for, the annual amount to be paid to each State and Territory being \$30,000, by act March 16, 1906, c. 951, set forth on p. 249, *post*.

Unexpended appropriations.

SEC. 6. That whenever it shall appear to the Secretary of the Treasury from the annual statement of receipts and expenditures of any of said stations that a portion of the preceding annual appropriation remains unexpended, such amount shall be deducted from the next succeeding annual appropriation to such station, in order that the amount of money appropriated to any station shall not exceed the amount actually and necessarily required for its maintenance and support.

Act March 2, 1887, c. 314, s. 6, 24 Stat. 441.

Relation of agricultural colleges to State or Territorial governments not affected by act.

SEC. 7. That nothing in this act shall be construed to impair or modify the legal relation existing between any of the said colleges and the government of the States or Territories in which they are respectively located.

Act March 2, 1887, c. 314, s. 7, 24 Stat. 441.

Application of act in States having experiment stations separate from agricultural colleges.

SEC. 8. That in States having colleges entitled under this section to the benefits of this act and having also agricultural experiment stations established by law separate from said colleges, such States shall be authorized to apply such benefits to experiments at stations so established by such States; and in case any State shall have established under the provisions of said act of July second aforesaid, an agricultural department or experimental station, in connection with any university, college, or institution not distinctively an agricultural college or school, and such State shall have established or shall hereafter establish a separate agricultural college or school, which shall

have connected therewith an experimental farm or station, the legislature of such State may apply in whole or in part the appropriation by this act made to such separate agricultural college, or school, and no legislature shall by contract express or implied disable itself from so doing.

Act March 2, 1887, c. 314, s. 8, 24 Stat. 441.

Grants of moneys subject to legislative assent of States and Territories.

SEC. 9. That the grants of moneys authorized by this act are made subject to the legislative assent of the several States and Territories to the purposes of said grants: *Provided*, That payment of such instalments of the appropriation herein made as shall become due to any State before the adjournment of the regular session of its legislature meeting next after the passage of this act shall be made upon the assent of the governor thereof duly certified to the Secretary of the Treasury.

Act March 2, 1887, c. 314, s. 9, 24 Stat. 442.

Provisions authorizing the governor of the State or Territory to make assent as to such installments of appropriations as may be due or become due when the legislature is not in session, are contained in act June 7, 1888, c. 373, and act March 16, 1906, c. 951, s. 2, set forth below.

Reservation of power to amend, etc., or repeal act.

SEC. 10. Nothing in this act shall be held or construed as binding the United States to continue any payments from the Treasury to any or all the States or institutions mentioned in this act, but Congress may at any time amend suspend or repeal any or all the provisions of this act.

Act March 2, 1887, c. 314, s. 10, 24 Stat. 442.

ACT JUNE 7, 1888, c. 373. An act to amend an act entitled "An act to establish agricultural stations in connection with the colleges established in the several States under the provisions of an act approved July second, eighteen hundred and sixty-two, and of the acts supplementary thereto." (25 Stat. 176.)

Assent of Governor to grant of money to State or Territory for experiment stations.

That the grant of money authorized by the act of Congress entitled "An act to establish agricultural experiment stations in connection with the colleges established in the several States under the provisions of an act approved July second eighteen hundred and sixty-two, and of acts supplementary thereto," are subject as therein provided to the legislative assent of the States or Territories to be affected thereby; but as to such installments of the appropriations as may be now due or may hereafter become due, when the legislature may not be in session, the governor of said State or Territory may make the assent therein provided, and upon a duly certified copy thereof to the Secretary of the Treasury he shall cause the same to be paid in the manner provided in the act of which this is amendatory, until the termination of the next regular session of the legislature of such State or Territory.

Act June 7, 1888, c. 373, 25 Stat. 176.

Act March 2, 1887, c. 314, s. 9, mentioned and amended by this act, is set forth on above.

ACT MARCH 16, 1906, c. 951. An act to provide for an increased annual appropriation for agricultural experiment stations and regulating the expenditure thereof. (34 Stat. 63.)

Increased annual appropriations for agricultural experiment stations.

That there shall be, and hereby is, annually appropriated, out of any money in the Treasury not otherwise appropriated, to be paid as hereinafter provided, to each State and Territory, for the more complete endowment and maintenance of agricultural experiment stations now established or which may hereafter be established in accordance with the Act of Congress approved March second, eighteen hundred and eighty-seven, the sum of five thousand dollars in addition to the sum named in said Act for the year ending June thirtieth, nineteen hundred and six, and an annual increase of the amount of such appropriation thereafter for five years by an additional sum of two thousand dollars over the preceding year, and the annual amount to be paid thereafter to each State and Territory shall be thirty thousand dollars, to be applied only to paying the necessary expenses of conducting original researches or experiments bearing directly on the agricultural industry of the United States, having due regard to the varying conditions and needs of the respective States or Territories.

Act March 16, 1906, c. 951, s. 1, 34 Stat. 63.

Act March 2, 1887, c. 314, mentioned in this section, is set forth above. Section 5 of that act appropriates \$15,000 per annum to each State and Territory for expenses of experiment stations provided for by that act.

This act is construed, as to amounts thereby appropriated for each fiscal year to and including the year ending June 30, 1911, and the time of payment thereof, by provisions of act June 30, 1906, c. 3913, set forth below.

Time, manner, etc., of annual payments to States and Territories; grants of money subject to legislative assent or assent of governor.

SEC. 2. That the sums hereby appropriated to the States and Territories for the further endowment and support of agricultural experiment stations shall be annually paid in equal quarterly payments on the first day of January, April, July, and October of each year by the Secretary of the Treasury, upon the warrant of the Secretary of Agriculture, out of the Treasury of the United States, to the treasurer or other officer duly appointed by the governing boards of said experiment stations to receive the same, and such officers shall be required to report to the Secretary of Agriculture on or before the first day of September of each year a detailed statement of the amount so received and of its disbursement, on schedules prescribed by the Secretary of Agriculture. The grants of money authorized by this Act are made subject to legislative assent of the several States and Territories to the purpose of said grants: *Provided*, That payment of such installments of the appropriation herein made as shall become due to any State or Territory before the adjournment of the regular session of legislature meeting next after the passage of this Act shall be made upon the assent of the governor thereof, duly certified by the Secretary of the Treasury.

Act March 16, 1906, c. 951, s. 2, 34 Stat. 63.

Appropriations for carrying out the provisions of sections 2, 4, and 5 of this act, relative to their administration, are made in the agricultural

appropriation acts for the fiscal years 1908 and thereafter. The provisions of the act for the fiscal year 1913 are set forth on p. 254, *post*.

Provisions that the Secretary of Agriculture shall prescribe the form of the annual financial statement required by this act, and shall ascertain whether the expenditures under the appropriations made for carrying out the provisions of the act, are in accordance with the act, and make report thereon to Congress, accompany appropriations in the agricultural appropriation acts for the fiscal years 1908 and thereafter. The provision of the act for the fiscal year 1913 is set forth on p. 251, *post*.

Diminution of fund to be restored by State or Territory; fund not to be applied to buildings; reports of operations, etc., including statements of receipts and expenditures.

SEC. 3. That if any portion of the moneys received by the designated officer of any State or Territory for the further and more complete endowment, support, and maintenance of agricultural experiment stations as provided in this Act shall by any action or contingency be diminished or lost or be misapplied, it shall be replaced by said State or Territory to which it belongs, and until so replaced no subsequent appropriation shall be apportioned or paid to such State or Territory; and no portion of said moneys exceeding five per centum of each annual appropriation shall be applied, directly or indirectly, under any pretense whatever, to the purchase, erection, preservation, or repair of any building or buildings, or to the purchase or rental of land. It shall be the duty of each of said stations annually, on or before the first day of February, to make to the governor of the State or Territory in which it is located a full and detailed report of its operations, including a statement of receipts and expenditures, a copy of which report shall be sent to each of said stations, to the Secretary of Agriculture, and to the Secretary of the Treasury of the United States.

Act March 16, 1906, c. 951, s. 3, 34 Stat. 63.

Annual ascertainment and certification of amounts due States, etc.; certificates of appropriations withheld; appeals to Congress.

SEC. 4. That on or before the first day of July in each year after the passage of this Act the Secretary of Agriculture shall ascertain and certify to the Secretary of the Treasury as to each State and Territory whether it is complying with the provisions of this Act and is entitled to receive its share of the annual appropriation for agricultural experiment stations under this Act and the amount which thereupon each is entitled, respectively, to receive. If the Secretary of Agriculture shall withhold a certificate from any State or Territory of its appropriation, the facts and reasons therefor shall be reported to the President and the amount involved shall be kept separate in the Treasury until the close of the next Congress in order that the State or Territory may, if it shall so desire, appeal to Congress from the determination of the Secretary of Agriculture. If the next Congress shall not direct such sum to be paid, it shall be covered into the Treasury; and the Secretary of Agriculture is hereby charged with the proper administration of this law.

Act March 16, 1906, c. 951, s. 4, 34 Stat. 64.

See notes under section 2 of this act.

Annual reports to Congress of receipts and expenditures and work of stations, and of withholding appropriations.

SEC. 5. That the Secretary of Agriculture shall make an annual report to Congress on the receipts and expenditures and work of the

agricultural experiment stations in all of the States and Territories, and also whether the appropriation of any State or Territory has been withheld; and if so, the reason therefor.

Act March 16, 1906, c. 951, s. 5, 34 Stat. 64.
See notes under section 2 of this act.

Reservation of power to amend, etc., or repeal act.

SEC. 6. That Congress may at any time amend, suspend, or repeal any or all of the provisions of this Act.

Act March 16, 1906, c. 951, s. 6, 34 Stat. 64.

ACT JUNE 30, 1906, c. 3913. (34 Stat. 669.)

Annual appropriations for agricultural experiment stations; construction of act March 16, 1906, c. 951.

The Act of Congress approved March sixteenth, nineteen hundred and six, entitled "An Act to provide for an increased annual appropriation for agricultural experiment stations and regulating the expenditures thereof," shall be construed to appropriate for each station the sum of five thousand dollars for the fiscal year ending June thirtieth, nineteen hundred and six, the sum of seven thousand dollars for the fiscal year ending June thirtieth, nineteen hundred and seven, the sum of nine thousand dollars for the fiscal year ending June thirtieth, nineteen hundred and eight, the sum of eleven thousand dollars for the fiscal year ending June thirtieth, nineteen hundred and nine, the sum of thirteen thousand dollars for the fiscal year ending June thirtieth, nineteen hundred and ten, and the sum of fifteen thousand dollars for the fiscal year ending June thirtieth, nineteen hundred and eleven. The sum of five thousand dollars appropriated for the fiscal year nineteen hundred and six shall be paid on or before June thirtieth, nineteen hundred and six, and the amounts appropriated for the subsequent years shall be paid as provided in the said Act to each State and Territory for the more complete endowment and maintenance of agricultural experiment stations now established or which may hereafter be established in accordance with the Act of Congress approved March second, eighteen hundred and eighty-seven.

Act June 30, 1906, c. 3913, 34 Stat. 696.

These are provisions of the agricultural appropriation act for the fiscal year 1907, cited above.

Act March 16, 1906, c. 951, and act March 2, 1887, c. 314, mentioned and construed by this paragraph, are set forth above.

ACT AUGUST 10, 1912, c. 284. (37 Stat. 269.)

Form of annual financial statement of agricultural experiment stations; ascertainment as to expenditures and report thereon to Congress.

* * * the Secretary of Agriculture shall prescribe the form of the annual financial statement required under the above Acts, ascertain whether the expenditures are in accordance with their provisions and make report thereon to Congress; * * *

Act August 10, 1912, c. 284, 37 Stat. 297.

This is a provision accompanying an appropriation for the enforcement of the provisions of act March 2, 1887, c. 314, and act March 16, 1906, c. 951, in the agricultural appropriation act for the fiscal year 1913, cited above. Similar provisions accompany such appropriations for carrying into effect the provisions of said act March 2, 1887, in the agricultural appropriation acts for the fiscal years 1895 and thereafter to and includ-

ing 1907, and for carrying out the provisions of said act March 2, 1887, and also said act March 16, 1906, in the agricultural appropriation acts for the fiscal years 1908 and thereafter.

ACT MARCH 2, 1889, c. 373. (25 Stat. 835.)

Examination and classification of soils by agricultural experiment stations.

* * * That, as far as practicable, all such stations shall devote a portion of their work to the examination and classification of the soils of their respective States and Territories, with a view to securing more extended knowledge and better development of their agricultural capabilities.

Act March 2, 1889, c. 373, 25 Stat. 841.

This is a proviso annexed to an appropriation for experiment stations in the agricultural appropriation act for the fiscal year 1890, cited above.

ACT MARCH 3, 1905, c. 1405. (33 Stat. 861.)

Cooperation of agricultural experiment stations in establishing and maintaining experimental grass stations.

* * * the agricultural experiment stations are hereby authorized and directed to cooperate with the Secretary of Agriculture in establishing and maintaining experimental grass stations, for determining the best methods of caring for and improving meadows and grazing lands, the use of different grasses and forage plants, and their adaptability to various soils and climates, the best native and foreign species for reclaiming overstocked ranges and pastures, for renovating worn-out lands, for binding drifting sands and washed lands, and for turbing lawns and pleasure grounds, and for solving the various forage problems presented in the several sections of our country, * * *

Act March 3, 1905, c. 1405, 33 Stat. 869.

This is a provision accompanying an appropriation for grass and forage-plant investigations, in the agricultural appropriation act for the fiscal year 1906, cited above. Similar provisions were contained in the similar appropriation acts for the fiscal year 1900 and intervening fiscal years.

ACT JUNE 30, 1906, c. 3913. (34 Stat. 669.)

Cooperation of agricultural experiment stations in nutrition investigations.

NUTRITION INVESTIGATIONS: To enable the Secretary of Agriculture to investigate and report upon the nutritive value of the various articles and commodities used for human food, with special suggestions of full, wholesome, and edible rations less wasteful and more economical than those in common use, including special investigations on the nutritive value and economy of the diet in public institutions; and the Secretary of Agriculture is hereby authorized to employ such assistants, clerks, and other persons as he may deem necessary in the city of Washington and elsewhere; and the agricultural experiment stations are authorized and directed to cooperate with the Secretary of Agriculture in carrying out said investigations in such manner and to such extent as may be warranted by a due regard to the varying conditions and needs of the respective States and Territories, and as may be mutually agreed upon; and the Secretary of Agriculture is hereby authorized to require said stations to report to him the results of any such investigations which they may carry out, whether in cooperation with the said Secretary of Agriculture or otherwise, * * *

Cooperation of agricultural experiment stations in irrigation and drainage investigations.

IRRIGATION AND DRAINAGE INVESTIGATIONS: To enable the Secretary of Agriculture to investigate and report upon the laws of the States and Territories as affecting irrigation and the rights of appropriators and of riparian proprietors and institutions relating to irrigation and upon the use of irrigation waters, at home and abroad; with especial suggestions of the best methods for the utilization of irrigation waters in agriculture, and upon plans for the removal of seepage and surplus waters by drainage, and upon the use of different kinds of power and appliances for irrigation, and drainage; and for the preparation, printing, and illustration of reports and bulletins on irrigation and drainage, including employment of labor in the city of Washington or elsewhere; and the agricultural experiment stations are hereby authorized and directed to cooperate with the Secretary of Agriculture in carrying out said investigations in such manner and to such extent as may be warranted by a due regard to the varying conditions and needs and laws of the respective States and Territories as may be mutually agreed upon, and all necessary expenses, * * *

Act June 30, 1906, c. 3913, 34 Stat. 694.

These are paragraphs of the agricultural appropriation act for the fiscal year 1907, cited above. Provisions requiring the agricultural experiment stations to cooperate with the Secretary of Agriculture in nutrition investigations and irrigation and drainage investigations, in the same language, accompanied appropriations for such investigations in the agricultural appropriation acts for the fiscal year 1905 and intervening fiscal years. Provisions relating to such cooperation were omitted, however, from the appropriations for the purposes mentioned in the similar appropriation acts for the fiscal years 1908 and thereafter.

ACT MAY 23, 1908, c. 192. (35 Stat. 251.)

Sale of copies of card index of agricultural literature; disposition of proceeds.

And the Secretary of Agriculture hereafter may furnish to such institutions or individuals as may care to buy them copies of the card index of agricultural literature prepared by the Office of Experiment Stations, and charge for the same a price covering the additional expense involved in the preparation of these copies, the money received from such sales to be deposited in the Treasury of the United States as miscellaneous receipts; * * *.

Act May 23, 1908, c. 192, 35 Stat. 266.

This is a provision of the agricultural appropriation act for the fiscal year 1909, cited above. Provisions in substantially similar language, but without the word "hereafter", accompanied appropriations for "Office of Experiment Stations" in the agricultural appropriation acts for the fiscal year 1893 and intervening fiscal years.

A similar provision of the act cited above relating to the sale of a card index of agricultural literature, prepared by the Library of the department, is set forth on p. 236, *ante*, under "Library."

RES. APRIL 27, 1904, No. 29. Joint resolution providing for printing annually the report of the Director of the Office of Experiment Stations, Department of Agriculture. (33 Stat. 590.)

Report of Director of Office of Experiment Stations.

That there be printed eight thousand copies of the Report of the Director of the Office of Experiment Stations, prepared under the supervision of the Secretary of Agriculture, on the work and expenditures of that office and of the agricultural experiment stations estab-

lished in the several States and Territories under the Act of Congress of March second, eighteen hundred and eighty-seven, for nineteen hundred and three, of which one thousand copies shall be for the use of the Senate, two thousand copies for the use of the House of Representatives, and five thousand copies for the use of the Department of Agriculture; and that annually hereafter a similar report shall be prepared and printed, the edition to be the same as for the report herein provided.

Res. April 27, 1904, No. 29, 33 Stat. 590.

Act March 2, 1887, c. 314, mentioned in this resolution, is set forth on p. 245, *ante*.

ACT AUGUST 10, 1912, c. 284. (37 Stat. 269.)

SALARIES, OFFICE OF EXPERIMENT STATIONS: One director, four thousand five hundred dollars; one chief clerk, two thousand dollars; one computer, two thousand dollars; one draftsman, one thousand eight hundred dollars; one clerk and proof reader, one thousand eight hundred dollars; one editorial clerk, one thousand four hundred dollars; one editorial clerk, one thousand two hundred dollars; one draftsman, one thousand two hundred dollars; two clerks, class three; four clerks, class two; seven clerks, class one; six clerks, at one thousand dollars each; twelve clerks, at nine hundred dollars each; one messenger, eight hundred and forty dollars; three messengers, messenger boys, or laborers, at six hundred dollars each; four messengers, messenger boys, or laborers, at four hundred and eighty dollars each; one skilled laborer, nine hundred dollars; five laborers or charwomen, at four hundred and eighty dollars each; two laborers or charwomen, at two hundred and forty dollars each; in all, fifty-eight thousand two hundred and forty dollars.

GENERAL EXPENSES, OFFICE OF EXPERIMENT STATIONS: To carry into effect the provisions of an Act approved March second, eighteen hundred and eighty-seven, entitled "An Act to establish agricultural experiment stations in connection with the colleges established in the several States under the provisions of an Act approved July second, eighteen hundred and sixty-two, and of the Acts supplementary thereto," the sums apportioned to the several States and Territories to be paid quarterly in advance, seven hundred and twenty thousand dollars;

To carry into effect the provisions of an Act approved March sixteenth, nineteen hundred and six, entitled "An Act to provide for an increased annual appropriation for agricultural experiment stations and regulating the expenditure thereof," the sums apportioned to the several States and Territories to be paid quarterly in advance, seven hundred and twenty thousand dollars: *Provided*, That not to exceed fifteen thousand dollars shall be paid to each State and Territory under this Act;

To enable the Secretary of Agriculture to enforce the provisions of the above Acts, relative to their administration, including the employment of clerks, assistants, and other persons in the city of Washington and elsewhere, freight and express charges, official traveling expenses, office fixtures, supplies, apparatus, telegraph and telephone service, gas, electric current, and rent outside of the District of Columbia, thirty-eight thousand four hundred dollars; * * *

A provision, here omitted, that the Secretary of Agriculture shall prescribe the form of financial statement required under the two acts men-

tioned above, ascertain whether the expenditures are in accordance with their provisions, and make report thereon to Congress, is set forth on p. 251, *ante*.

To enable the Secretary of Agriculture to establish and maintain agricultural experiment stations in Alaska, Hawaii, Porto Rico, and the island of Guam, including the erection of buildings, the preparation, illustration, and distribution of reports and bulletins, and all other necessary expenses, one hundred and five thousand dollars, as follows: Alaska, thirty thousand dollars; Hawaii, thirty thousand dollars; Porto Rico, thirty thousand dollars; and Guam, fifteen thousand dollars; and the Secretary of Agriculture is authorized to sell such products as are obtained on the land belonging to the agricultural experiment stations in Alaska, Hawaii, Porto Rico, and the island of Guam, and to apply the money received from the sale of such products to the maintenance of said stations, and this fund shall be available until used;

To enable the Secretary of Agriculture to investigate and report upon the organization and progress of farmers' institutes and agricultural schools in the several States and Territories, and upon similar organizations in foreign countries, with special suggestions of plans and methods for making such organizations more effective for the dissemination of the results of the work of the Department of Agriculture and the agricultural experiment stations, and of improved methods of agricultural practice, including the employment of labor in the city of Washington and elsewhere, and all other necessary expenses, fifteen thousand seven hundred and sixty dollars;

In all for general expenses, one million five hundred and ninety-nine thousand one hundred and sixty dollars.

NUTRITION INVESTIGATIONS: To enable the Secretary of Agriculture to investigate the nutritive value of agricultural products used for human food, with special suggestions of plans and methods for the more effective utilization of such products for this purpose, with the cooperation of other bureaus of the department, and to disseminate useful information on this subject, including the employment of labor in the city of Washington and elsewhere, and all other necessary expenses, sixteen thousand dollars.

IRRIGATION INVESTIGATIONS: To enable the Secretary of Agriculture to investigate and report upon the laws of the States and Territories as affecting irrigation and the rights of appropriators, and of riparian proprietors and institutions relating to irrigation, and upon the use of irrigation water at home and abroad with especial suggestions of the best methods for the utilization of irrigation waters in agriculture, and upon the use of different kinds of power and appliances for irrigation and for the preparation and illustration of reports and bulletins on irrigation, including the employment of labor in the city of Washington and elsewhere, rent outside of the District of Columbia, and all necessary expenses, ninety-eight thousand three hundred dollars: *Provided*, That the Secretary of Agriculture be, and he is hereby, authorized and directed to cause a thorough investigation to be made and report to Congress at the opening of the next session upon the feasibility and the economy of irrigation by the reservoir system or plan in western Kansas and western Oklahoma.

DRAINAGE INVESTIGATIONS: To enable the Secretary of Agriculture to investigate and report upon the drainage of swamp and other wet

lands which may be made available for agricultural purposes, and to prepare plans for the removal of surplus waters by drainage from such lands, and for the preparation and illustration of reports and bulletins on drainage, including the employment of labor in the city of Washington and elsewhere, rent outside of the District of Columbia, and all necessary expenses, one hundred thousand dollars.

Total for Office of Experiment Stations, one million eight hundred and seventy-one thousand and seven hundred dollars.

Act August 10, 1912, c. 284, 37 Stat. 297.

These are provisions of the agricultural appropriation act for the fiscal year 1913, cited above.

OFFICE OF PUBLIC ROADS.

ACT JUNE 30, 1906, c. 3913. (34 Stat. 669.)

Director of office.

* * * One director, who shall be a scientist and have charge of all scientific and technical work, * * *.

Act June 30, 1906, c. 3913, 34 Stat. 694.

This is a provision of the agricultural appropriation act for the fiscal year 1907, cited above. Provisions in the same words are contained in the similar acts for subsequent fiscal years. The provision in the act for the fiscal year 1913 is set forth below.

ACT AUGUST 10, 1912, c. 284. (37 Stat. 269.)

SALARIES, OFFICE OF PUBLIC ROADS: One director, who shall be a scientist and have charge of all scientific and technical work, four thousand dollars; one chief clerk, one thousand nine hundred dollars; two clerks, class three; one clerk or instrument maker, one thousand four hundred and forty dollars; one clerk, one thousand three hundred and twenty dollars; three clerks, at one thousand two hundred and sixty dollars each; three clerks, class one; one clerk or photographer, one thousand two hundred dollars; one clerk or photographer, one thousand dollars; two clerks, at one thousand one hundred and forty dollars each; one clerk, one thousand and eighty dollars; one clerk, one thousand and twenty dollars; four clerks, at one thousand dollars each; one clerk, nine hundred dollars; one clerk or instrument maker, one thousand two hundred dollars; one messenger or laborer, seven hundred and twenty dollars; one messenger or laborer, six hundred and sixty dollars; four messengers or laborers, at six hundred dollars each; one messenger boy, four hundred and eighty dollars; one messenger boy, three hundred and sixty dollars; two charwomen, at two hundred and forty dollars each; in all, thirty-seven thousand and twenty dollars.

GENERAL EXPENSES, OFFICE OF PUBLIC ROADS: For salaries, and the employment of labor in the city of Washington and elsewhere, supplies, office fixtures, apparatus, traveling and all other necessary expenses for conducting investigations and experiments, and for collating, reporting, and illustrating the results of same, and for preparing, publishing, and distributing bulletins and reports as follows: *Provided*, That no part of these appropriations shall be expended for the rent or purchase of road-making machinery except such as may be necessary for field experimental work as hereinafter provided for:

For inquiries in regard to systems of road management throughout the United States and for giving expert advice on this subject, twenty-five thousand dollars;

For investigations of the best methods of road making and the best kinds of road-making materials, and for furnishing expert advice on road building and maintenance, seventy-five thousand dollars;

For investigations of the chemical and physical character of road materials, twenty-five thousand dollars;

For conducting field experiments and various methods of road construction and maintenance, and investigations concerning various road materials and preparations; for investigating and developing equipment intended for the preparation and application of bituminous and other binders; for the purchase of materials and equipment; for the employment of assistants and labor; for the erection of buildings; such experimental work to be confined as nearly as possible to one point during the fiscal year, thirty thousand dollars;

For general administrative expenses connected with the above-mentioned lines of investigations and experiments, ten thousand one hundred dollars;

In all, for general expenses, one hundred and sixty-five thousand one hundred dollars.

Total for Office of Public Roads, two hundred and two thousand one hundred and twenty dollars.

Act August 10, 1912, c. 284, 37 Stat. 299.

These are provisions of the agricultural appropriation act for the fiscal year 1913, cited above.

INSECTICIDE ACT OF 1910.

ACT APRIL 26, 1910, c. 191. An act for preventing the manufacture, sale, or transportation of adulterated or misbranded Paris greens, lead arsenates, and other insecticides, and also fungicides, and for regulating traffic therein, and for other purposes. (36 Stat. 331.)

Manufacture of adulterated or misbranded insecticides, etc., and fungicides in the Territories or District of Columbia, unlawful; violation of provisions a misdemeanor; punishment.

That it shall be unlawful for any person to manufacture within any Territory or the District of Columbia any insecticide, Paris green, lead arsenate, or fungicide which is adulterated or misbranded within the meaning of this Act; and any person who shall violate any of the provisions of this section shall be guilty of a misdemeanor, and shall, upon conviction thereof, be fined not to exceed two hundred dollars for the first offense, and upon conviction for each subsequent offense be fined not to exceed three hundred dollars, or sentenced to imprisonment for not to exceed one year, or both such fine and imprisonment, in the discretion of the court.

Act April 26, 1910, c. 191, s. 1, 36 Stat. 331.

Interstate or foreign commerce in adulterated or misbranded insecticides, etc., and fungicides, prohibited; shipment, delivery, etc., of such articles a misdemeanor; punishment; articles for export.

SEC. 2. That the introduction into any State or Territory or the District of Columbia from any other State or Territory or the District of Columbia, or from any foreign country, or shipment to any

foreign country, of any insecticide, or Paris green, or lead arsenate, or fungicide which is adulterated or misbranded within the meaning of this Act is hereby prohibited; and any person who shall ship or deliver for shipment from any State or Territory or the District of Columbia to any other State or Territory or the District of Columbia, or to a foreign country, or who shall receive in any State or Territory or the District of Columbia from any other State or Territory or the District of Columbia, or foreign country, and having so received, shall deliver, in original unbroken packages, for pay or otherwise, or offer to deliver, to any other person, any such article so adulterated or misbranded within the meaning of this Act, or any person who shall sell or offer for sale in the District of Columbia or any Territory of the United States any such adulterated or misbranded insecticide, or Paris green, or lead arsenate, or fungicide, or export or offer to export the same to any foreign country, shall be guilty of a misdemeanor, and for such offense be fined not exceeding two hundred dollars for the first offense, and upon conviction for each subsequent offense not exceeding three hundred dollars, or be imprisoned not exceeding one year, or both, in the discretion of the court: *Provided*, That no article shall be deemed misbranded or adulterated within the provisions of this Act when intended for export to any foreign country and prepared or packed according to the specifications or directions of the foreign purchaser; but if said articles shall be in fact sold or offered for sale for domestic use or consumption, then this proviso shall not exempt said article from the operation of any of the other provisions of this Act.

Act April 26, 1910, c. 191, s. 2, 36 Stat. 331.

Regulations for carrying out provisions of act; collection and examination of specimens of insecticides, etc., and fungicides.

SEC. 3. That the Secretary of the Treasury, the Secretary of Agriculture, and the Secretary of Commerce and Labor shall make uniform rules and regulations for carrying out the provisions of this Act, including the collection and examination of specimens of insecticides, Paris greens, lead arsenates, and fungicides manufactured or offered for sale in the District of Columbia or in any Territory of the United States, or which shall be offered for sale in unbroken packages in any State other than that in which they shall have been respectively manufactured or produced, or which shall be received from any foreign country or intended for shipment to any foreign country, or which may be submitted for examination by the director of the experiment station of any State, Territory, or the District of Columbia (acting under the direction of the Secretary of Agriculture), or at any domestic or foreign port through which such product is offered for interstate commerce, or for export or import between the United States and any foreign port or country.

Act April 26, 1910, c. 191, s. 3, 36 Stat. 331.

Making of examinations of specimens of insecticides, etc., and fungicides; notice of adulteration or misbranding to party, and hearing thereon; certification of violations of act to district attorneys; notice by publication of judgment of court.

SEC. 4. That the examination of specimens of insecticides, Paris greens, lead arsenates, and fungicides shall be made in the Department of Agriculture, by such existing bureau or bureaus as may be

directed by the Secretary, for the purpose of determining from such examination whether such articles are adulterated or misbranded within the meaning of this Act; and if it shall appear from any such examination that any of such specimens are adulterated or misbranded within the meaning of this Act, the Secretary of Agriculture shall cause notice thereof to be given to the party from whom such sample was obtained. Any party so notified shall be given an opportunity to be heard, under such rules and regulations as may be prescribed as aforesaid, and if it appears that any of the provisions of this Act have been violated by such party, then the Secretary of Agriculture shall at once certify the facts to the proper United States district attorney, with a copy of the results of the analysis or the examination of such article duly authenticated by the analyst or officer making such examination, under the oath of such officer. After judgment of the court, notice shall be given by publication in such manner as may be prescribed by the rules and regulations aforesaid.

Act April 26, 1910, c. 191, s. 4, 36 Stat. 332.

Duty of district attorneys to prosecute for violations of act.

SEC. 5. That it shall be the duty of each district attorney to whom the Secretary of Agriculture shall report any violation of this Act, or to whom any director of experiment station or agent of any State, Territory, or the District of Columbia, under authority of the Secretary of Agriculture, shall present satisfactory evidences of any such violation, to cause appropriate proceedings to be commenced and prosecuted in the proper courts of the United States, without delay, for the enforcement of the penalties as in such case herein provided.

Act April 26, 1910, c. 191, s. 5, 36 Stat. 332.

Definition of terms "insecticide," "Paris green," "lead arsenate," and "fungicide," as used in act.

SEC. 6. That the term "insecticide" as used in this Act shall include any substance or mixture of substances intended to be used for preventing, destroying, repelling, or mitigating any insects which may infest vegetation, man or other animals, or households, or be present in any environment whatsoever. The term "Paris green" as used in this Act shall include the product sold in commerce as Paris green and chemically known as the aceto-arsenite of copper. The term "lead arsenate" as used in this Act shall include the product or products sold in commerce as lead arsenate and consisting chemically of products derived from arsenic acid (H_3AsO_4) by replacing one or more hydrogen atoms by lead. That the term "fungicide" as used in this Act shall include any substance or mixture of substances intended to be used for preventing, destroying, repelling, or mitigating any and all fungi that may infest vegetation or be present in any environment whatsoever.

Act April 26, 1910, c. 191, s. 6, 36 Stat. 332.

Articles deemed adulterated.

SEC. 7. That for the purpose of this Act an article shall be deemed to be adulterated—

Paris green.

In the case of Paris green: First, if it does not contain at least fifty per centum of arsenious oxide; second, if it contains arsenic in

water-soluble forms equivalent to more than three and one-half per centum of arsenious oxide; third, if any substance has been mixed and packed with it so as to reduce or lower or injuriously affect its quality or strength.

Lead arsenate.

In the case of lead arsenate: First, if it contains more than fifty per centum of water; second, if it contains total arsenic equivalent to less than twelve and one-half per centum of arsenic oxid (As_2O_5); third, if it contains arsenic in water-soluble forms equivalent to more than seventy-five one-hundredths per centum of arsenic oxid (As_2O_5); fourth, if any substances have been mixed and packed with it so as to reduce, lower, or injuriously affect its quality or strength: *Provided, however,* That extra water may be added to lead arsenate (as described in this paragraph) if the resulting mixture is labeled lead arsenate and water, the percentage of extra water being plainly and correctly stated on the label.

Other insecticides or fungicides.

In the case of insecticides or fungicides, other than Paris green and lead arsenate: First, if its strength or purity fall below the professed standard or quality under which it is sold; second, if any substance has been substituted wholly or in part for the article; third, if any valuable constituent of the article has been wholly or in part abstracted; fourth, if it is intended for use on vegetation and shall contain any substance or substances which, although preventing, destroying, repelling, or mitigating insects, shall be injurious to such vegetation when used.

Act April 26, 1910, c. 191, s. 7, 36 Stat. 332.

Definition of term "misbranded" as used in act.

SEC. 8. That the term "misbranded" as used herein shall apply to all insecticides, Paris greens, lead arsenates, or fungicides, or articles which enter into the composition of insecticides or fungicides, the package or label of which shall bear any statement, design, or device regarding such article or the ingredients or substances contained therein which shall be false or misleading in any particular, and to all insecticides, Paris greens, lead arsenates, or fungicides which are falsely branded as to the State, Territory, or country in which they are manufactured or produced.

That for the purpose of this Act an article shall be deemed to be misbranded—

Insecticides, Paris greens, lead arsenates, and fungicides.

In the case of insecticides, Paris greens, lead arsenates, and fungicides: First, if it be an imitation or offered for sale under the name of another article; second, if it be labeled or branded so as to deceive or mislead the purchaser, or if the contents of the package as originally put up shall have been removed in whole or in part and other contents shall have been placed in such package; third, if in package form, and the contents are stated in terms of weight or measure,

they are not plainly and correctly stated on the outside of the package.

Insecticides (other than Paris greens and lead arsenates) and fungicides.

In the case of insecticides (other than Paris greens and lead arsenates) and fungicides: First, if it contains arsenic in any of its combinations or in the elemental form and the total amount of arsenic present (expressed as per centum of metallic arsenic) is not stated on the label; second, if it contains arsenic in any of its combinations or in the elemental form and the amount of arsenic in water-soluble forms (expressed as per centum of metallic arsenic) is not stated on the label; third, if it consists partially or completely of an inert substance or substances which do not prevent, destroy, repel, or mitigate insects or fungi and does not have the names and percentage amounts of each and every one of such inert ingredients plainly and correctly stated on the label: *Provided, however,* That in lieu of naming and stating the percentage amount of each and every inert ingredient the producer may at his discretion state plainly upon the label the correct names and percentage amounts of each and every ingredient of the insecticide or fungicide having insecticidal or fungicidal properties, and make no mention of the inert ingredients, except in so far as to state the total percentage of inert ingredients present.

Act April 26, 1910, c. 191, s. 8, 36 Stat. 333.

Guaranty signed by wholesaler, jobber, manufacturer, etc., as protection to dealer from prosecution under provisions of act.

SEC. 9. That no dealer shall be prosecuted under the provisions of this Act when he can establish a guaranty signed by the wholesaler, jobber, manufacturer, or other party residing in the United States, from whom he purchased such articles, to the effect that the same is not adulterated or misbranded within the meaning of this Act, designating it. Said guaranty, to afford protection, shall contain the name and address of the party or parties making the sale of such articles to such dealer, and in such case said party or parties shall be amenable to the prosecutions, fines, and other penalties which would attach in due course to the dealer under the provisions of this Act.

Act April 26, 1910, c. 191, s. 9, 36 Stat. 334.

Seizure of articles adulterated or misbranded within act, in interstate or foreign commerce, etc., for condemnation; disposition of articles condemned and of proceeds thereof; delivery to owner on bond, etc.; proceedings for seizure and condemnation.

SEC. 10. That any insecticide, Paris green, lead arsenate, or fungicide that is adulterated or misbranded within the meaning of this Act and is being transported from one State, Territory, or District, to another for sale, or, having been transported, remains unloaded, unsold, or in original unbroken packages, or if it be sold or offered for sale in the District of Columbia or any Territory of the United States, or if it be imported from a foreign country for sale, shall be liable to be proceeded against in any district court of the United States within the district wherein the same is found and seized for confiscation by a process of libel for condemnation.

And if such article is condemned as being adulterated or misbranded, within the meaning of this Act, the same shall be disposed of by destruction or sale as the said court may direct, and the proceeds thereof, if sold, less the legal costs and charges, shall be paid into the Treasury of the United States, but such goods shall not be sold in any jurisdiction contrary to the provisions of this Act or the laws of that jurisdiction: *Provided, however,* That upon the payment of the costs of such libel proceedings and the execution and delivery of a good and sufficient bond to the effect that such articles shall not be sold or otherwise disposed of contrary to the provisions of this Act or the laws of any State, Territory, or District, the court may by order direct that such articles be delivered to the owner thereof. The proceedings of such libel cases shall conform, as near as may be, to the proceedings in admiralty, except that either party may demand trial by jury of any issue of fact joined in any such case, and all such proceedings shall be at the suit of and in the name of the United States.

Act April 26, 1910, c. 191, s. 10, 36 Stat. 334.

Examination of samples of insecticides, etc., and fungicides imported, etc., on notice to owner or consignee; refusal of admission and delivery to consignee of articles adulterated or misbranded, or dangerous to health, or forbidden entry or sale or restricted in sale in the country where made, etc.; delivery of goods to consignee pending examination and decision on bond, etc.; charges for storage, etc., on goods refused admission, and lien therefor against subsequent importation.

SEC. 11. That the Secretary of the Treasury shall deliver to the Secretary of Agriculture, upon his request, from time to time, samples of insecticides, Paris greens, lead arsenates, and fungicides which are being imported into the United States or offered for import, giving notice thereof to the owner or consignee, who may appear before the Secretary of Agriculture and have the right to introduce testimony; and if it appear from the examination of such samples that any insecticide, or Paris green, or lead arsenate, or fungicide offered to be imported into the United States is adulterated or misbranded within the meaning of this Act, or is otherwise dangerous to the health of the people of the United States, or is of a kind forbidden entry into or forbidden to be sold or restricted in sale in the country in which it is made or from which it is exported, or is otherwise falsely labeled in any respect, the said article shall be refused admission, and the Secretary of the Treasury shall refuse delivery to the consignee and shall cause the destruction or [of] any goods refused delivery which shall not be exported by the consignee within three months from the date of notice of such refusal under such regulations as the Secretary of the Treasury may prescribe: *Provided,* That the Secretary of the Treasury may deliver to the consignee such goods pending examination and decision in the matter on execution of a penal bond for the amount of the full invoice value of such goods, together with the duty thereon, and on refusal to return such goods for any cause to the custody of the Secretary of the Treasury, when demanded, for the purpose of excluding them from the country, or for any other purpose, said consignee shall forfeit the full amount of the bond: *And provided further,* That all charges for storage, cartage, and

labor on goods which are refused admission or delivery shall be paid by the owner or consignee, and in default of such payment shall constitute a lien against any future importation made by such owner or consignee.

Act April 26, 1910, c. 191, s. 11, 36 Stat. 334.

Term "Territory" in act to include Alaska and insular possessions; construction of word "person" as used in act; liability of corporations, etc., for acts, omissions, etc., of officers, agents, employees, etc.

SEC. 12. That the term "Territory," as used in this Act, shall include the District of Alaska and the insular possessions of the United States. The word "person," as used in this Act, shall be construed to import both the plural and the singular, as the case demands, and shall include corporations, companies, societies, and associations. When construing and enforcing the provisions of this Act, the act, omission, or failure of any officer, agent, or other person acting for or employed by any corporation, company, society, or association, within the scope of his employment or office, shall in every case be also deemed to be the act, omission, or failure of such corporation, company, society, or association, as well as that of the other person.

Act April 26, 1910, c. 191, s. 12, 36 Stat. 335.

Title of act.

SEC. 13. That this Act shall be known and referred to as "The insecticide Act of 1910."

Act April 26, 1910, c. 191, s. 13, 36 Stat. 335.

Time of taking effect of act.

SEC. 14. That this Act shall be in force and effect from and after the first day of January, nineteen hundred and eleven.

Act April 26, 1910, c. 191, s. 14, 36 Stat. 335.

Appropriations for carrying into effect the provisions of this act are made in the agricultural appropriation act for the fiscal year 1913 and the preceding fiscal year. The provision of the act for the fiscal year 1913 is set forth below.

ACT AUGUST 10, 1912, c. 284. (37 Stat. 269.)

ENFORCEMENT OF THE INSECTICIDE ACT: To enable the Secretary of Agriculture to carry into effect the provisions of the Act of April twenty-sixth, nineteen hundred and ten, entitled "An Act for preventing the manufacture, sale, or transportation of adulterated or misbranded Paris greens, lead arsenates, and other insecticides, and also fungicides, and for regulating traffic therein, and for other purposes," in the city of Washington and elsewhere, including chemical apparatus, chemicals, and supplies, repairs to apparatus, gas, electric current, official traveling expenses, telegraph and telephone service, express and freight charges, and all other expenses, employing such assistants, clerks, and other persons as may be considered necessary for the purposes named, eighty-seven thousand dollars.

Act August 10, 1912, c. 284, 37 Stat. 300.

This is a provision of the agricultural appropriation act for the fiscal year 1913, cited above, under the heading "Miscellaneous." A similar provision was contained in the similar act for the fiscal year 1912.

PLANT QUARANTINE ACT OF AUGUST 20, 1912.

ACT AUGUST 20, 1912, c. 308. An act to regulate the importation of nursery stock and other plants and plant products; to enable the Secretary of Agriculture to establish and maintain quarantine districts for plant diseases and insect pests; to permit and regulate the movement of fruits, plants and vegetables therefrom, and for other purposes. (37 Stat. 315.)

Importation, etc., of nursery stock without a permit and a certificate of inspection, unlawful; permit issued on compliance with regulations under act; importation of nursery stock by Department of Agriculture for experimental or scientific purposes; importations from countries having no inspection.

That it shall be unlawful for any person to import or offer for entry into the United States any nursery stock unless and until a permit shall have been issued therefor by the Secretary of Agriculture, under such conditions and regulations as the said Secretary of Agriculture may prescribe, and unless such nursery stock shall be accompanied by a certificate of inspection, in manner and form as required by the Secretary of Agriculture, of the proper official of the country from which the importation is made, to the effect that the stock has been thoroughly inspected and is believed to be free from injurious plant diseases and insect pests: *Provided*, That the Secretary of Agriculture shall issue the permit for any particular importation of nursery stock when the conditions and regulations as prescribed in this Act shall have been complied with: *Provided further*, That nursery stock may be imported for experimental or scientific purposes by the Department of Agriculture upon such conditions and under such regulations as the said Secretary of Agriculture may prescribe: *And provided further*, That nursery stock imported from countries where no official system of inspection for such stock is maintained may be admitted upon such conditions and under such regulations as the Secretary of Agriculture may prescribe.

Act August 20, 1912, c. 308, s. 1, 37 Stat. 315.

Notification of Secretary of Agriculture and proper State, etc., officials of arrival of imported nursery stock at port of entry; interstate shipment of imported nursery stock without such notification, or without inspection, forbidden.

SEC. 2. That it shall be the duty of the Secretary of the Treasury promptly to notify the Secretary of Agriculture of the arrival of any nursery stock at port of entry; that the person receiving such stock at port of entry shall, immediately upon entry and before such stock is delivered for shipment or removed from the port of entry, advise the Secretary of Agriculture or, at his direction, the proper State, Territorial, or District official of the State or Territory or the District to which such nursery stock is destined, or both, as the Secretary of Agriculture may elect, of the name and address of the consignee, the nature and quantity of the stock it is proposed to ship, and the country and locality where the same was grown. That no person shall ship or offer for shipment from one State or Territory or District of the United States into any other State or Territory or District, any nursery stock imported into the United States without notifying the Secretary of Agriculture or, at his direction, the proper State, Territorial, or District official of the State or Territory or District to which such nursery stock is destined, or both, as the Secretary of Agriculture may elect, immediately upon the delivery

of the said stock for shipment, of the name and address of the consignee, of the nature and quantity of stock it is proposed to ship, and the country and locality where the same was grown, unless and until such imported stock has been inspected by the proper official of a State, Territory, or District of the United States.

Act August 20, 1912, c. 308, s. 2, 37 Stat. 316.

Importation, etc., of nursery stock unless case, box, etc., thereof be marked as to nature and quantity of contents, country, etc., where grown, name and address of shipper, etc., and of consignee, forbidden.

SEC. 3. That no person shall import or offer for entry into the United States any nursery stock unless the case, box, package, crate, bale, or bundle thereof shall be plainly and correctly marked to show the general nature and quantity of the contents, the country and locality where the same was grown, the name and address of the shipper, owner, or person shipping or forwarding the same, and the name and address of the consignee.

Act August 20, 1912, c. 308, s. 3, 37 Stat. 316.

Interstate shipment, etc., of imported nursery stock, the case, box, etc., whereof is not marked as required by section 3, forbidden, unless such nursery stock has been inspected.

SEC. 4. That no person shall ship or deliver for shipment from one State or Territory or District of the United States into any other State or Territory or District any such imported nursery stock the case, box, package, crate, bale, or bundle whereof is not plainly marked so as to show the general nature and quantity of the contents, the name and address of the consignee, and the country and locality where such stock was grown, unless and until such imported stock has been inspected by the proper official of a State, Territory, or District of the United States.

Act August 20, 1912, c. 308, s. 4, 37 Stat. 316.

Determination, and promulgation thereof, that unrestricted importation of plants, etc., and plant products, other than nursery stock, may result in introduction of injurious plant diseases or insect pests; importation of such plants and plant products, after such promulgation, subject to provisions of sections 1-4 of act; public hearings before such promulgation.

SEC. 5. That whenever the Secretary of Agriculture shall determine that the unrestricted importation of any plants, fruits, vegetables, roots, bulbs, seeds, or other plant products not included by the term "nursery stock" as defined in section six of this Act may result in the entry into the United States or any of its Territories or Districts of injurious plant diseases or insect pests, he shall promulgate his determination, specifying the class of plants and plant products the importation of which shall be restricted and the country and locality where they are grown, and thereafter, and until such promulgation is withdrawn, such plants and plant products imported or offered for import into the United States or any of its Territories or Districts shall be subject to all the provisions of the foregoing sections of this Act: *Provided*, That before the Secretary of Agriculture shall promulgate his determination that the unrestricted importation of any plants, fruits, vegetables, roots, bulbs, seeds, or other plant products not included by the term "nursery stock" as defined in section six of this Act may result in the entry into the

United States or any of its Territories or Districts of injurious plant diseases or insect pests he shall, after due notice, give a public hearing, under such rules and regulations as he shall prescribe, at which hearing any interested party may appear and be heard, either in person or by attorney.

Act August 20, 1912, c. 308, s. 5, 37 Stat. 316.

Definition of term "nursery stock" as used in act.

SEC. 6. That for the purpose of this act the term "nursery stock" shall include all field-grown florists' stock, trees, shrubs, vines, cuttings, grafts, scions, buds, fruit pits and other seeds of fruit and ornamental trees or shrubs, and other plants and plant products for propagation, except field, vegetable, and flower seeds, bedding plants, and other herbaceous plants, bulbs, and roots.

Act August 20, 1912, c. 308, s. 6, 37 Stat. 317.

Determination, and promulgation thereof, of necessity of forbidding importation of nursery stock, other than plants, etc., and plant products, in order to prevent introduction of plant, etc., diseases or injurious insects new to or not widely prevalent in United States; importation of such nursery stock and other plants, etc., and plant products, after such promulgation, prohibited notwithstanding certificates of inspection and regardless of use for which same is intended; public hearings before such promulgation.

SEC. 7. That whenever, in order to prevent the introduction into the United States of any tree, plant, or fruit disease or of any injurious insect, new to or not theretofore widely prevalent or distributed within and throughout the United States, the Secretary of Agriculture shall determine that it is necessary to forbid the importation into the United States of any class of nursery stock or of any other class of plants, fruits, vegetables, roots, bulbs, seeds, or other plant products from a country or locality where such disease or insect infestation exists, he shall promulgate such determination, specifying the country and locality and the class of nursery stock or other class of plants, fruits, vegetables, roots, bulbs, seeds, or other plant products which, in his opinion, should be excluded. Following the promulgation of such determination by the Secretary of Agriculture, and until the withdrawal of the said promulgation by him, the importation of the class of nursery stock or of other class of plants, fruits, vegetables, roots, bulbs, seeds, or other plant products specified in the said promulgation from the country and locality therein named, regardless of the use for which the same is intended, is hereby prohibited; and until the withdrawal of the said promulgation by the Secretary of Agriculture, and notwithstanding that such class of nursery stock, or other class of plants, fruits, vegetables, roots, bulbs, seeds, or other plant products be accompanied by a certificate of inspection from the country of importation, no person shall import or offer for entry into the United States from any country or locality specified in such promulgation, any of the class of nursery stock or of other class of plants, fruits, vegetables, roots, bulbs, seeds, or other plant products named therein, regardless of the use for which the same is intended: *Provided*, That before the Secretary of Agriculture shall promulgate his determination that it is necessary to forbid the importation into the United States of the articles named in this section he shall, after due notice to interested parties, give a public hearing, under such rules and regulations as he shall prescribe, at which hearing any

interested party may appear and be heard, either in person or by attorney: *Provided further*, That the quarantine provisions of this section, as applying to the white-pine blister rust, potato wart, and the Mediterranean fruit fly, shall become and be effective upon the passage of this Act.

Act August 20, 1912, c. 308, s. 7, 37 Stat. 317.

Quarantine of State or Territory, etc., or portion thereof, where dangerous plant disease or insect infestation exists; notice of quarantine; shipment, etc., transportation, etc., of nursery stock and other plants, etc., and plant products, from quarantined State or Territory, etc., or portion thereof, forbidden, except as otherwise provided; moving, etc., nursery stock or other plants, etc., or plant products specified in notice of quarantine, in manner, etc., other than prescribed, unlawful; regulations for inspection, disinfection, certification, and method, etc., of shipment, etc., of nursery stock and other plants, etc., and plant products, specified in notice of quarantine; notice of such regulation; public hearings before promulgation of regulations.

SEC. 8. That the Secretary of Agriculture is authorized and directed to quarantine any State, Territory, or District of the United States, or any portion thereof, when he shall determine the fact that a dangerous plant disease or insect infestation, new to or not theretofore widely prevalent or distributed within and throughout the United States, exists in such State or Territory or District; and the Secretary of Agriculture is directed to give notice of the establishment of such quarantine to common carriers doing business in or through such quarantined area; and shall publish in such newspapers in the quarantined area as he shall select notice of the establishment of quarantine. That no person shall ship or offer for shipment to any common carrier, nor shall any common carrier receive for transportation or transport, nor shall any person carry or transport from any quarantined State or Territory or District of the United States, or from any quarantined portion thereof, into or through any other State or Territory or District, any class of nursery stock or any other class of plants, fruits, vegetables, roots, bulbs, seeds, or other plant products specified in the notice of quarantine except as hereinafter provided. That it shall be unlawful to move, or allow to be moved, any class of nursery stock or any other class of plants, fruits, vegetables, roots, bulbs, seeds, or other plant products specified in the notice of quarantine hereinbefore provided, and regardless of the use for which the same is intended, from any quarantined State or Territory or District of the United States, or quarantined portion thereof, into or through any other State or Territory or District, in manner or method or under conditions other than those prescribed by the Secretary of Agriculture. That it shall be the duty of the Secretary of Agriculture to make and promulgate rules and regulations which shall permit and govern the inspection, disinfection, certification, and method and manner of delivery and shipment of the class of nursery stock or of any other class of plants, fruits, vegetables, roots, bulbs, seeds, or other plant products specified in the notice of quarantine hereinbefore provided, and regardless of the use for which the same is intended, from a quarantined State or Territory or District of the United States, or quarantined portion thereof, into or through any other State or Territory or District; and the Secretary of Agriculture shall give notice of such rules and regulations as hereinbefore provided in this section for the notice of the establishment of quarantine: *Provided*,

That before the Secretary of Agriculture shall promulgate his determination that it is necessary to quarantine any State, Territory, or District of the United States, or portion thereof, under the authority given in this section, he shall, after due notice to interested parties, give a public hearing under such rules and regulations as he shall prescribe, at which hearing any interested party may appear and be heard, either in person or by attorney.

Act August 20, 1912, c. 308, s. 8, 37 Stat. 318.

Regulations for carrying out purposes of act.

SEC. 9. That the Secretary of Agriculture shall make and promulgate such rules and regulations as may be necessary for carrying out the purposes of this Act.

Act August 20, 1912, c. 308, s. 9, 37 Stat. 318.

Violations of provisions of act, or the forging, etc., of certificates provided for in act, a misdemeanor; punishment; common carrier not to be deemed to have violated act on proof it did not knowingly transport nursery stock or other plants or plant products; duty of district attorneys to prosecute for violations of act.

SEC. 10. That any person who shall violate any of the provisions of this Act, or who shall forge, counterfeit, alter, deface, or destroy any certificate provided for in this Act or in the regulations of the Secretary of Agriculture, shall be deemed guilty of a misdemeanor and shall, upon conviction thereof, be punished by a fine not exceeding five hundred dollars or by imprisonment not exceeding one year, or both such fine and imprisonment, in the discretion of the court: *Provided*, That no common carrier shall be deemed to have violated the provisions of any of the foregoing sections of this Act on proof that such carrier did not knowingly receive for transportation or transport nursery stock or other plants or plant products as such from one State, Territory, or District of the United States into or through any other State, Territory, or District; and it shall be the duty of the United States attorneys diligently to prosecute any violations of this Act which are brought to their attention by the Secretary of Agriculture or which come to their notice by other means.

Act August 20, 1912, c. 308, s. 10, 37 Stat. 318.

Construction of word "person" as used in act; liability of corporations, etc., for acts, omissions, etc., of officers, agents, employees, etc.

SEC. 11. That the word "person" as used in this Act shall be construed to import both the plural and the singular, as the case demands, and shall include corporations, companies, societies, and associations. When construing and enforcing the provisions of this Act, the act, omission, or failure of any officer, agent, or other person acting for or employed by any corporation, company, society, or association, within the scope of his employment or office, shall in every case be also deemed to be the act, omission, or failure of such corporation, company, society, or association as well as that of the person.

Act August 20, 1912, c. 308, s. 11, 37 Stat. 319.

Appointment of Federal Horticultural Board for carrying out provisions of act.

SEC. 12. That for the purpose of carrying out the provisions of this Act there shall be appointed by the Secretary of Agriculture from existing bureaus and offices in the Department of Agriculture,

including the Bureau of Entomology, the Bureau of Plant Industry, and the Forest Service, a Federal Horticultural Board consisting of five members, of whom not more than two shall be appointed from any one bureau or office, and who shall serve without additional compensation.

Act August 20, 1912, c. 308, s. 12, 37 Stat. 319.

Appropriation for purposes and objects of act.

SEC. 13. That there is hereby appropriated, out of the moneys in the Treasury not otherwise appropriated, to be expended as the Secretary of Agriculture may direct, for the purposes and objects of this Act, the sum of twenty-five thousand dollars.

Act August 20, 1912, c. 308, s. 13, 37 Stat. 319.

Time of taking effect of act.

SEC. 14. That this Act shall become and be effective from and after the first day of October, nineteen hundred and twelve, except as herein otherwise provided.

Act August 20, 1912, c. 308, s. 14, 37 Stat. 319.

Provisions prohibiting interstate transportation and importation of insects injurious to crops, vegetables, fruit, etc., and trees, except for scientific purposes under regulations provided for, and providing a penalty for violation thereof, are contained in act March 3, 1905, c. 1501, set forth on p. 198, *ante*, under "Bureau of Entomology."

PROVISIONS RELATING TO THE PUBLIC
SERVICE IN GENERAL.

PROVISIONS RELATING TO THE PUBLIC SERVICE IN GENERAL.

OFFICERS, CLERKS, AND EMPLOYEES.

REV. ST. SEC. 161.

Departmental regulations.

SEC. 161. The head of each Department is authorized to prescribe regulations, not inconsistent with law, for the government of his Department, the conduct of its officers and clerks, the distribution and performance of its business, and the custody, use, and preservation of the records, papers, and property appertaining to it.

REV. ST. SEC. 173.

Chief clerks to supervise subordinate clerks.

SEC. 173. Each chief clerk in the several Departments, and Bureaus, and other offices connected with the Departments, shall supervise, under the direction of his immediate superior, the duties of the other clerks therein, and see that they are faithfully performed.

REV. ST. SEC. 174.

Chief clerks to distribute duties and report on defects in business.

SEC. 174. Each chief clerk shall take care, from time to time, that the duties of the other clerks are distributed with equality and uniformity, according to the nature of the case. He shall revise such distribution from time to time, for the purpose of correcting any tendency to undue accumulation or reduction of duties, whether arising from individual negligence or incapacity, or from increase or diminution of particular kinds of business. And he shall report monthly to his superior officer any existing defect that he may be aware of in the arrangement or dispatch of business.

REV. ST. SEC. 175.

Duty of superior officer on receipt of report of chief clerk.

SEC. 175. Each head of a Department, chief of a Bureau, or other superior officer, shall, upon receiving each monthly report of his chief clerk, rendered pursuant to the preceding section, examine the facts stated therein, and take such measures, in the exercise of the powers conferred upon him by law, as may be necessary and proper to amend any existing defects in the arrangement or dispatch of business disclosed by such report.

REV. ST. SEC. 176.

Appointment and bonds of disbursing clerks.

SEC. 176. The disbursing clerks authorized by law in the several Departments shall be appointed by the heads of the respective De-

partments, from clerks of the fourth class; and shall each give a bond to the United States for the faithful discharge of the duties of his office according to law in such amount as shall be directed by the Secretary of the Treasury, and with sureties to the satisfaction of the Solicitor of the Treasury; and shall from time to time renew, strengthen, and increase his official bond, as the Secretary of the Treasury may direct. Each disbursing clerk, except the disbursing clerk of the Treasury Department, must, when directed so to do by the head of the Department, superintend the building occupied by his Department. Each disbursing clerk is entitled to receive, in compensation for his services in disbursing, such sum in addition to his salary as a clerk of the fourth class as shall make his whole annual compensation two thousand dollars a year.

Statements and receipts for all moneys expended by disbursing clerks are required by Rev. St. sec. 193, set forth on p. 315, *post*, under "Estimates and Reports."

Inspection of books, papers, etc., of disbursing officers by accounting officers of the Treasury Department, is authorized by act February 19, 1897, c. 265, s. 1, set forth on p. 339, *post*, under "Public Moneys and Accounting."

REV. ST. SEC. 3614.

Bonds of special agents for disbursement of public moneys.

SEC. 3614. Whenever it becomes necessary for the head of any Department or office to employ special agents, * * * who may be charged with the disbursement of public moneys, such agents shall, before entering upon duty, give bond in such form and with such security as the head of the Department or office employing them may approve.

Provisions for the examination and renewal of official bonds, in act March 2, 1895, c. 177, are set forth on p. 299, *post*.

ACT MARCH 4, 1909, c. 299. (35 Stat. 945.)

Acting disbursing officer in case of sickness or unavoidable absence of disbursing clerk or disbursing agent in departments, etc., at Washington.

SEC. 8. In case of the sickness or unavoidable absence of any disbursing clerk or disbursing agent of any executive department, independent bureau, or office, in Washington, District of Columbia, he may, with the approval of the head of the department, independent bureau, or office, in which said disbursing clerk or agent is employed, authorize the clerk of highest grade employed therein to act in his place, and to discharge all the duties by law or regulations of such disbursing clerk or agent. The official bond given by the principal of the office shall be held to cover and apply to the acts of the person appointed to act in his place in such cases. Such acting officer shall, moreover, for the time being, be subject to all the liabilities and penalties prescribed by law for the official misconduct in like cases, of the disbursing clerk or disbursing agent, respectively, for whom he acts, and such acting officer shall be required by the head of the department, independent bureau, or office, to give bond to and in such sum as the disbursing clerk or disbursing agent may require.

Act March 4, 1909, c. 299, s. 8, 35 Stat. 1027.

This section is part of the sundry civil appropriation act for the fiscal year 1910, cited above.

REV. ST. SEC. 177.

Vacancies in headships of departments; how temporarily filled.

SEC. 177. In case of the death, resignation, absence, or sickness of the head of any Department, the first or sole assistant thereof shall, unless otherwise directed by the President, as provided by section one hundred and seventy-nine, perform the duties of such head until a successor is appointed, or such absence or sickness shall cease.

Rev. St. sec. 179, mentioned in this section, is set forth below.

REV. ST. SEC. 178.

Vacancies in subordinate offices; how temporarily filled.

SEC. 178. In case of the death, resignation, absence, or sickness of the chief of any Bureau, or of any officer thereof, whose appointment is not vested in the head of the Department, the assistant or deputy of such chief or of such officer, or if there be none, then the chief clerk of such Bureau, shall, unless otherwise directed by the President, as provided by section one hundred and seventy-nine, perform the duties of such chief or of such officer until a successor is appointed or such absence or sickness shall cease.

Rev. St. sec. 179, mentioned in this section, is set forth below.

REV. ST. SEC. 179.

Discretionary authority of the President to fill vacancies.

SEC. 179. In any of the cases mentioned in the two preceding sections, except the death, resignation, absence, or sickness of the Attorney-General, the President may, in his discretion, authorize and direct the head of any other Department or any other officer in either Department, whose appointment is vested in the President, by and with the advice and consent of the Senate, to perform the duties of the vacant office until a successor is appointed, or the sickness or absence of the incumbent shall cease.

REV. ST. SEC. 180.

Temporary appointments to fill vacancies, limited to thirty days.

SEC. 180. A vacancy occasioned by death or resignation must not be temporarily filled under the three preceding sections for a longer period than thirty days.

Rev. St. sec. 180, as amended by act February 6, 1891, c. 113, 26 Stat. 733.

REV. ST. SEC. 181.

Restriction on temporary appointments to fill vacancies.

SEC. 181. No temporary appointment, designation, or assignment of one officer to perform the duties of another, in the cases covered by sections one hundred and seventy-seven and one hundred and seventy-eight, shall be made otherwise than as provided by those sections, except to fill a vacancy happening during a recess of the Senate.

Rev. St. secs. 177 and 178, mentioned in this section, are set forth above.

REV. ST. SEC. 182.

Officers appointed to temporary vacancies not entitled to extra compensation.

SEC. 182. An officer performing the duties of another office, during a vacancy, as authorized by sections one hundred and seventy-seven, one hundred and seventy-eight, and one hundred and seventy-nine, is not by reason thereof entitled to any other compensation than that attached to his proper office.

Rev. St. secs. 177, 178, and 179, mentioned in this section, are set forth above.

REV. ST. SEC. 163.

Classification of department clerks.

SEC. 163. The clerks in the Departments shall be arranged in four classes, distinguished as the first, second, third, and fourth classes.

The salaries of clerks of the four classes and of other employees in the departments, are fixed by Rev. St. sec. 167, set forth on p. 283, *post*.

Provisions authorizing the heads of departments to alter the distribution of clerks among the various bureaus and offices of their departments, and to reduce the force employed, are contained in Rev. St. sec. 166, set forth on p. 279, *post*.

REV. ST. SEC. 164.

Examinations for appointments to department clerkships.

SEC. 164. No clerk shall be appointed in any Department in either of the four classes above designated, until he has been examined and found qualified by a board of three examiners, to consist of the chief of the Bureau or office into which such clerk is to be appointed and two other clerks to be selected by the head of the Department.

Provisions, more comprehensive in their scope than those of this section, for examinations for testing the fitness of applicants for the public service, and for appointments and promotions as the results of such examinations, are contained in act January 16, 1883, c. 27, set forth below.

ACT JANUARY 16, 1883, c. 27. An act to regulate and improve the civil service of the United States. (22 Stat. 403.)

Civil Service Commission; appointment.

That the President is authorized to appoint, by and with the advice and consent of the Senate, three persons, not more than two of whom shall be adherents of the same party, as Civil Service Commissioners, and said three commissioners shall constitute the United States Civil Service Commission. Said commissioners shall hold no other official place under the United States.

* * * * *

Act January 16, 1883, c. 27, s. 1, 22 Stat. 403.

Preparation of rules; duty of department officers to aid in carrying out rules; provisions of rules.

SEC. 2. That it shall be the duty of said commissioners:

FIRST. To aid the President, as he may request, in preparing suitable rules for carrying this act into effect, and when said rules shall have been promulgated it shall be the duty of all officers of the United States in the departments and offices to which any such rules may relate to aid, in all proper ways, in carrying said rules, and any modification thereof, into effect.

SECOND. And, among other things, said rules shall provide and declare, as nearly as the conditions of good administration will warrant, as follows:

First, for open, competitive examinations for testing the fitness of applicants for the public service now classified or to be classified hereunder. Such examinations shall be practical in their character, and so far as may be shall relate to those matters which will fairly test the relative capacity and fitness of the persons examined to discharge the duties of the service into which they seek to be appointed.

Second, that all the offices, places, and employments so arranged or to be arranged in classes shall be filled by selections according to grade from among those graded highest as the results of such competitive examinations.

Third, appointments to the public service aforesaid in the departments at Washington shall be apportioned among the several States and Territories and the District of Columbia upon the basis of population as ascertained at the last preceding census. Every application for an examination shall contain, among other things, a statement, under oath, setting forth his or her actual bona fide residence at the time of making the application, as well as how long he or she has been a resident of such place.

Fourth, that there shall be a period of probation before any absolute appointment or employment aforesaid.

Fifth, that no person in the public service is for that reason under any obligations to contribute to any political fund, or to render any political service, and that he will not be removed or otherwise prejudiced for refusing to do so.

Sixth, that no person in said service has any right to use his official authority or influence to coerce the political action of any person or body.

Seventh, there shall be non-competitive examinations in all proper cases before the commission, when competent persons do not compete, after notice has been given of the existence of the vacancy, under such rules as may be prescribed by the commissioners as to the manner of giving notice.

Eighth, that notice shall be given in writing by the appointing power to said commission of the persons selected for appointment or employment from among those who have been examined, of the place of residence of such persons, of the rejection of any such persons after probation, of transfers, resignations, and removals, and of the date thereof, and a record of the same shall be kept by said commission. And any necessary exceptions from said eight fundamental provisions of the rules shall be set forth in connection with such rules, and the reasons therefor shall be stated in the annual reports of the commission.

THIRD. Said commission shall, subject to the rules that may be made by the President, make regulations for, and have control of, such examinations, and, through its members or the examiners, it shall supervise and preserve the records of the same; and said commission shall keep minutes of its own proceedings.

FOURTH. Said commission may make investigations concerning the facts, and may report upon all matters touching the enforcement and effects of said rules and regulations, and concerning the action of any

examiner or board of examiners hereinafter provided for, and its own subordinates, and those in the public service, in respect to the execution of this act.

* * * * *

Act January 16, 1883, c. 27, s. 2, 22 Stat. 403.

Classification of clerks, etc., in the departments.

SEC. 6. * * * That from time to time said Secretary [of the Treasury], the Postmaster-General, and each of the heads of departments mentioned in the one hundred and fifty-eighth section of the Revised Statutes, and each head of an office, shall, on the direction of the President, and for facilitating the execution of this act, respectively revise any then existing classification or arrangement of those in their respective departments and offices, and shall, for the purposes of the examination herein provided for, include in one or more of such classes, so far as practicable, subordinate places, clerks, and officers in the public service pertaining to their respective departments not before classified for examination.

Act January 16, 1883, c. 27, s. 6, 22 Stat. 406.

The departments mentioned in Rev. St. sec. 158, referred to in the above section, are the Department of State, the Department of War, the Department of the Treasury, the Department of Justice, the Post-Office Department, the Department of the Navy, and the Department of the Interior. Rev. St. sec. 158 is amended by act February 9, 1889, c. 122, s. 1, set forth on p. 9, *ante*, to include the Department of Agriculture.

Appointments and promotions to be made upon examinations.

SEC. 7. That after the expiration of six months from the passage of this act no officer or clerk shall be appointed, and no person shall be employed to enter or be promoted in either of the said classes now existing, or that may be arranged hereunder pursuant to said rules, until he has passed an examination, or is shown to be specially exempted from such examination in conformity herewith. But nothing herein contained shall be construed to take from those honorably discharged from the military or naval service any preference conferred by the seventeen hundred and fifty-fourth section of the Revised Statutes, nor to take from the President any authority not inconsistent with this act conferred by the seventeen hundred and fifty-third section of said statutes; nor shall any officer not in the executive branch of the government, or any person merely employed as a laborer or workman, be required to be classified hereunder; nor, unless by the direction of the Senate, shall any person who has been nominated for confirmation by the Senate be required to be classified or to pass an examination.

Act January 16, 1883, c. 27, s. 7, 22 Stat. 406.

Excessive use of intoxicants a bar to official position.

SEC. 8. That no person habitually using intoxicating beverages to excess shall be appointed to, or retained in, any office, appointment, or employment to which the provisions of this act are applicable.

Act January 16, 1883, c. 27, s. 8, 22 Stat. 406.

Restriction on appointments of members of one family.

SEC. 9. That whenever there are already two or more members of a family in the public service in the grades covered by this act, no

other member of such family shall be eligible to appointment to any of said grades.

Act January 16, 1883, c. 27, s. 9, 22 Stat. 406.

Recommendations of applicants by members of Congress.

SEC. 10. That no recommendation of any person who shall apply for office or place under the provisions of this act which may be given by any Senator or member of the House of Representatives, except as to the character or residence of the applicant, shall be received or considered by any person concerned in making any examination or appointment under this act.

Act January 16, 1883, c. 27, s. 10, 22 Stat. 406.

REV. ST. SEC. 165.

Clerkships open to women.

SEC. 165. Women may, in the discretion of the head of any Department, be appointed to any of the clerkships therein authorized by law, upon the same requisites and conditions, and with the same compensations, as are prescribed for men.

ACT MARCH 3, 1893, c. 208. (27 Stat. 572.)

Employees of detective agencies not to be employed in Government service.

That hereafter no employee of the Pinkerton Detective Agency, or similar agency, shall be employed in any Government service or by any officer of the District of Columbia.

Act March 3, 1893, c. 208, 27 Stat. 591.

This is a provision of the sundry civil appropriation act for the fiscal year 1894. A provision in the same language, without the word "hereafter," was contained in the similar act for the preceding year.

ACT MAY 1, 1884, c. 37. (23 Stat. 15.)

Acceptance of voluntary service for Government, or employment of service in excess of that authorized by law, prohibited.

* * * hereafter no Department or officer of the United States shall accept voluntary service for the Government or employ personal service in excess of that authorized by law except in cases of sudden emergency involving the loss of human life or the destruction of property.

Act May 1, 1884, c. 37, 23 Stat. 17.

This is a provision of the urgent deficiency appropriation act for the fiscal year 1884, cited above.

A similar provision is contained, among other things, in Rev. St. sec. 3679, as amended by act March 3, 1905, c. 1481, and act February 27, 1906, c. 510, set forth as amended on p. 316, *post*, under "Appropriations." Said Rev. St. sec. 3679, as amended, further provides punishment for violation of any provision thereof.

REV. ST. SEC. 166.

Distribution of clerks.

SEC. 166. Each head of a Department may, from time to time, alter the distribution among the various bureaus and offices of his Department, of the clerks and other employees allowed by law, except such clerks or employees as may be required by law to be exclu-

sively engaged upon some specific work, as he may find it necessary and proper to do, but all details hereunder shall be made by written order of the head of the Department, and in no case be for a period of time exceeding one hundred and twenty days: *Provided*, That details so made may, on expiration, be renewed from time to time by written order of the head of the Department, in each particular case, for periods of not exceeding one hundred and twenty days. All details heretofore made are hereby revoked, but may be renewed as provided herein.

Rev. St. sec. 166, as amended by Act May 28, 1896, c. 252, s. 3, 29 Stat. 179.

ACT AUGUST 15, 1876, c. 287. (19 Stat. 143.)

Alteration in number of clerks of higher and lower grades.

SEC. 3. That whenever, in the judgment of the head of any department, the duties assigned to a clerk of one class can be as well performed by a clerk of a lower class or by a female clerk, it shall be lawful for him to diminish the number of clerks of the higher grade and increase the number of the clerks of the lower grade within the limit of the total appropriation for such clerical service: *Provided*, That in making any reduction of force in any of the executive departments, the head of such department shall retain those persons who may be equally qualified who have been honorably discharged from the military or naval service of the United States, and the widows and orphans of deceased soldiers and sailors.

Act August 15, 1876, c. 287, s. 3, 19 Stat. 169.

This is a section of the legislative, executive and judicial appropriation act for the fiscal year 1877, cited above.

ACT AUGUST 23, 1912, c. 350. (37 Stat. 360.)

Efficiency ratings for classified service in executive departments; promotions, demotions, and dismissals; records of efficiency to be furnished by departments; punishment for violation of section.

SEC. 4. The Civil Service Commission shall, subject to the approval of the President, establish a system of efficiency ratings for the classified service in the several executive departments in the District of Columbia based upon records kept in each department and independent establishment with such frequency as to make them as nearly as possible records of fact. Such system shall provide a minimum rating of efficiency which must be attained by an employee before he may be promoted; it shall also provide a rating below which no employee may fall without being demoted; it shall further provide for a rating below which no employee may fall without being dismissed for inefficiency. All promotions, demotions, or dismissals shall be governed by provisions of the civil service rules. Copies of all records of efficiency shall be furnished by the departments and independent establishments to the Civil Service Commission for record in accordance with the provisions of this section: *Provided*, That in the event of reductions being made in the force in any of the executive departments no honorably discharged soldier or sailor whose record in said department is rated good shall be discharged or dropped, or reduced in rank or salary.

Any person knowingly violating the provisions of this section shall be summarily removed from office, and may also upon conviction

thereof be punished by a fine of not more than one thousand dollars or by imprisonment for not more than one year.

Act August 23, 1912, c. 350, s. 4, 37 Stat. 413.

These are provisions of the legislative, executive, and judicial appropriation act for the fiscal year 1913, cited above.

ACT AUGUST 24, 1912, c. 389. (37 Stat. 539.)

Removals from classified service, except to promote efficiency, forbidden; notice of charges and opportunity for answer, required; right of persons in civil service to petition, etc., Congress.

SEC. 6. That no person in the classified civil service of the United States shall be removed therefrom except for such cause as will promote the efficiency of said service and for reasons given in writing, and the person whose removal is sought shall have notice of the same and of any charges preferred against him, and be furnished with a copy thereof, and also be allowed a reasonable time for personally answering the same in writing; and affidavits in support thereof; but no examination of witnesses nor any trial or hearing shall be required except in the discretion of the officer making the removal; and copies of charges, notice of hearing, answer, reasons for removal, and of the order of removal shall be made a part of the records of the proper department or office, as shall also the reasons for reduction in rank or compensation; and copies of the same shall be furnished to the person affected upon request, and the Civil Service Commission also shall, upon request, be furnished copies of the same: * * * The right of persons employed in the civil service of the United States, either individually or collectively, to petition Congress, or any Member thereof, or to furnish information to either House of Congress, or to any committee or member thereof, shall not be denied or interfered with.

Act August 24, 1912, c. 389, s. 6, 37 Stat. 555.

These are provisions of "An act making appropriations for the service of the Post Office Department for the fiscal year ending June thirtieth, nineteen hundred and thirteen, and for other purposes," cited above.

ACT AUGUST 23, 1912, c. 350. (37 Stat. 360.)

Details of employees of executive departments, etc., to the office of the President.

* * * That employees of the executive departments and other establishments of the executive branch of the Government may be detailed from time to time to the office of the President of the United States, for such temporary assistance as may be necessary.

Act August 23, 1912, c. 350, s. 1, 37 Stat. 371.

This is a proviso annexed to appropriations for the Executive, in the legislative, executive, and judicial appropriation act for the fiscal year 1913, cited above. Provisos in the same words were contained in the similar acts for 1906 and intervening fiscal years.

ACT JUNE 22, 1906, c. 3514. (34 Stat. 389.)

Transfers of clerks and other employees from one department to another, restricted.

SEC. 5. It shall not be lawful hereafter for any clerk or other employee in the classified service in any of the Executive Departments to be transferred from one Department to another Department until

such clerk or other employee shall have served for a term of three years in the Department from which he desires to be transferred.

Act June 22, 1906, c. 3514, s. 5, 34 Stat. 449.

This is a section of the legislative, executive, and judicial appropriation act for the fiscal year 1907, cited above.

Details of officers, clerks, and employees in public service outside District of Columbia for duty in departments in District of Columbia, restricted.

SEC. 6. Hereafter it shall be unlawful to detail civil officers, clerks, or other subordinate employees who are authorized or employed under or paid from appropriations made for the military or naval establishments, or any other branch of the public service outside of the District of Columbia, except those officers and employees whose details are now specially provided by law, for duty in any bureau, office, or other division of any Executive Department in the District of Columbia, except temporary details for duty connected with their respective offices.

Act June 22, 1906, c. 3514, s. 6, 34 Stat. 449.

This, also, is a section of the legislative, executive, and judicial appropriation act for the fiscal year 1907, cited above.

ACT AUGUST 23, 1912, c. 350. (37 Stat. 360.)

Details of clerks and employees from departments, etc., to Civil Service Commission for duty in District of Columbia, forbidden.

No detail of clerks or other employees from the executive departments or other Government establishments in Washington, District of Columbia, to the Civil Service Commission, for the performance of duty in the District of Columbia, shall be made for or during the fiscal year nineteen hundred and thirteen.

Act August 23, 1912, c. 350, s. 1, 37 Stat. 372.

This is a paragraph of the legislative, executive, and judicial appropriation act for the fiscal year 1913, cited above. Similar provisions were contained in the similar acts for 1906 and intervening fiscal years.

ACT JULY 2, 1909, c. 2. (36 Stat. 1.)

Transfers of employees from departmental classified service to Census Office, authorized.

* * * That employees in other branches of the departmental classified service who have had previous experience in census work may be transferred without examination to the Census Office to serve during the whole or a part of the decennial census period, and at the end of such service the employees so transferred, shall be eligible to appointment to positions in any Department held by them at date of transfer to the Census Office, without examination: * * *

Act July 2, 1909, c. 2, s. 7, 36 Stat. 3.

These are provisions of "An act to provide for the thirteenth and subsequent decennial censuses," cited above.

ACT JUNE 25, 1910, c. 384. (36 Stat. 703.)

Details of employees of Government Printing Office to other executive departments, etc., restricted.

Hereafter no employee of the Government Printing Office shall be detailed to duties not pertaining to the work of public printing

and binding in any executive department or other Government establishment unless expressly authorized by law.

Act June 25, 1910, c. 384, s. 1, 36 Stat. 770.

This is a paragraph of the sundry civil appropriation act for the fiscal year 1911, cited above.

ACT FEBRUARY 26, 1907, c. 1635. (34 Stat. 935.)

Compensation of heads of executive departments.

SEC. 4. That on and after March fourth, nineteen hundred and seven the compensation of * * * the heads of Executive Departments who are members of the President's Cabinet shall be at the rate of twelve thousand dollars per annum each, * * *.

Act February 26, 1907, c. 1635, s. 4, 34 Stat. 993.

This section is a portion of the legislative, executive, and judicial appropriation act for the fiscal year 1908, cited above.

This section supersedes Rev. St. sec. 160, which provided that "Each head of a department is entitled to a salary of ten thousand dollars a year, to be paid monthly."

REV. ST. SEC. 167.

Salaries of clerks and employees in the departments.

SEC. 167. The annual salaries of clerks and employés in the Departments, whose compensation is not otherwise prescribed, shall be as follows:

First. To clerks of the fourth class, eighteen hundred dollars.

Second. To clerks of the third class, sixteen hundred dollars.

Third. To clerks of the second class, fourteen hundred dollars.

Fourth. To clerks of the first class, twelve hundred dollars.

Fifth. To the women employed in duties of a clerical character, subordinate to those assigned to clerks of the first class, including copyists and counters, or temporarily employed to perform the duties of a clerk, nine hundred dollars.

Sixth. To messengers, eight hundred and forty dollars.

Seventh. To assistant messengers, seven hundred and twenty dollars.

Eighth. To laborers, seven hundred and twenty dollars.

Ninth. To watchmen, seven hundred and twenty dollars.

REV. ST. SEC. 168.

Salary of temporary clerks.

SEC. 168. Except when a different compensation is expressly prescribed by law, any clerk temporarily employed to perform the same or similar duties with those belonging to clerks of either class, is entitled to the same salary as is allowed to clerks of that class.

REV. ST. SEC. 169.

Authority to employ clerks and other employees.

SEC. 169. Each head of a Department is authorized to employ in his Department such number of clerks of the several classes recognized by law, and such messengers, assistant messengers, copyists, watchmen, laborers, and other employés, and at such rates of compensation, respectively, as may be appropriated for by Congress from year to year.

ACT AUGUST 15, 1876, c. 287. (19 Stat. 143.)

Employment of clerks, etc., and other employees beyond provisions of law prohibited.

SEC. 5. That the executive officers of the Government are hereby prohibited from employing any clerk, agent, engineer, draughtsman[,], messenger[,], watchman, laborer, or other employee, in any of the executive departments in the city of Washington, or elsewhere beyond provision made by law.

Act August 15, 1876, c. 287, s. 5, 19 Stat. 169.

This is a section of the legislative, executive, and judicial appropriation act for the fiscal year 1877, cited above.

ACT AUGUST 5, 1882, c. 389. (22 Stat. 219.)

Officers, clerks, and other employees to be paid from specific appropriations.

SEC. 4. That no civil officer, clerk, draughtsman, copyist, messenger, assistant messenger, mechanic, watchman, laborer, or other employee shall after the first day of October next be employed in any of the executive departments, or subordinate bureaus or offices thereof at the seat of government, except only at such rates and in such numbers, respectively, as may be specifically appropriated for by Congress for such clerical and other personal services for each fiscal year; and no civil officer, clerk, draughtsman, copyist, messenger, assistant messenger, mechanic, watchman, laborer, or other employee shall hereafter be employed at the seat of government in any executive department or subordinate bureau or office thereof or be paid from any appropriation made for contingent expenses, or for any specific or general purpose, unless such employment is authorized and payment therefor specifically provided in the law granting the appropriation, and then only for services actually rendered in connection with and for the purposes of the appropriation from which payment is made, and at the rate of compensation usual and proper for such services, and after the first day of October next section one hundred and seventy-two of the Revised Statutes, and all other laws and parts of laws inconsistent with the provisions of this act, and all laws and parts of laws authorizing the employment of officers, clerks, draughtsmen, copyists, messengers, assistant messengers, mechanics, watchmen, laborers, or other employees at a different rate of pay or in excess of the numbers authorized by appropriations made by Congress, be, and they are hereby, repealed; and thereafter all details of civil officers, clerks, or other subordinate employees from places outside of the District of Columbia for duty within the District of Columbia, except temporary details for duty connected with their respective offices, be, and are hereby, prohibited; and thereafter all moneys accruing from lapsed salaries, or from unused appropriations for salaries, shall be covered into the Treasury: * * *

Act August 5, 1882, c. 389, s. 4, 22 Stat. 255.

These are provisions of the legislative, executive, and judicial appropriation act for the fiscal year 1883, cited above.

A provision, similar to that in the above section, relating to details of officers, clerks, and employees outside of the District of Columbia for duty in the departments in the District of Columbia, is contained in act June 22, 1906, c. 3514, s. 6, set forth on p. 282, *ante*.

Punishment for violation of this section is provided in act August 23, 1912, c. 350, set forth below.

Rev. St. sec. 3679, as amended by act March 3, 1905, c. 1481, and act February 27, 1906, c. 510, set forth as amended on p. 316, *post*, under "Appropriations," provides, among other things, that no department or any officer of the Government shall accept voluntary service for the Government or employ personal service in excess of that authorized by law, except in cases of sudden emergency involving the loss of human life or the destruction of property, and further provides punishment for violation of any provision thereof.

ACT AUGUST 23, 1912, c. 350. (37 Stat. 360.)

Violation of preceding section; punishment.

SEC. 5. That any person violating section four of the legislative, executive, and judicial appropriation Act approved August fifth, eighteen hundred and eighty-two (Statutes at Large, volume twenty-two, page two hundred and fifty-five), shall be summarily removed from office, and may also upon conviction thereof be punished by a fine of not more than one thousand dollars or by imprisonment for not more than one year.

Act August 23, 1912, c. 350, s. 5, 37 Stat. 414.

This section is a part of the legislative, executive, and judicial appropriation act for the fiscal year 1913, cited above.

Act August 5, 1882, c. 389, s. 4, mentioned in this section, is set forth above.

ACT AUGUST 26, 1912, c. 408. (37 Stat. 595.)

Lump-sum appropriations not available for increased compensation.

SEC. 7. No part of any money contained herein or hereafter appropriated in lump sum shall be available for the payment of personal services at a rate of compensation in excess of that paid for the same or similar services during the fiscal year nineteen hundred and twelve; nor shall any person employed at a specific salary be hereafter transferred and hereafter paid from a lump-sum appropriation a rate of compensation greater than such specific salary, and the heads of departments shall cause this provision to be enforced.

Act August 26, 1912, c. 408, s. 7, 37 Stat. 626.

This section is a portion of the deficiency appropriation act for the fiscal year 1912, cited above.

REV. ST. SEC. 170.

Extra compensation to clerks prohibited.

SEC. 170. No money shall be paid to any clerk employed in either Department at an annual salary, as compensation for extra services, unless expressly authorized by law.

REV. ST. SEC. 171.

Restriction on employing extra clerks.

SEC. 171. No extra clerk shall be employed in any Department, Bureau, or office, at the seat of Government, except during the session of Congress, or when indispensably necessary in answering some call made by either House of Congress at one session to be answered at another; nor then, except by order of the head of the Department in which, or in some Bureau or office of which, such extra clerk shall be employed. And no extra clerk employed in either of the Departments shall receive compensation except for time actually and necessarily employed, nor any greater compensation than three dollars a day for copying, or four dollars a day for any other service.

REV. ST. SEC. 1760.

Payment of salary for office not authorized by law, forbidden.

SEC. 1760. No money shall be paid from the Treasury to any person acting or assuming to act as an officer, civil, military, or naval, as salary, in any office when the office is not authorized by some previously existing law, unless such office is subsequently sanctioned by law.

REV. ST. SEC. 1761.

Payment of salaries to certain appointees to fill vacancies during recess of Senate, forbidden.

SEC. 1761. No money shall be paid from the Treasury, as salary, to any person appointed during the recess of the Senate, to fill a vacancy in any existing office, if the vacancy existed while the Senate was in session and was by law required to be filled by and with the advice and consent of the Senate, until such appointee has been confirmed by the Senate.

REV. ST. SEC. 1764.

Extra allowance or compensation to officer or clerk performing duties of other officer or clerk, forbidden.

SEC. 1764. No allowance or compensation shall be made to any officer or clerk, by reason of the discharge of duties which belong to any other officer or clerk in the same or any other Department; and no allowance or compensation shall be made for any extra services whatever, which any officer or clerk may be required to perform, unless expressly authorized by law.

REV. ST. SEC. 1765.

Extra allowances not authorized by law, prohibited.

SEC. 1765. No officer in any branch of the public service, or any other person whose salary, pay, or emoluments are fixed by law or regulations, shall receive any additional pay, extra allowance, or compensation, in any form whatever, for the disbursement of public money, or for any other service or duty whatever, unless the same is authorized by law, and the appropriation therefor explicitly states that it is for such additional pay, extra allowance, or compensation.

REV. ST. SEC. 1766.

Payment of compensation to person in arrears to United States, forbidden.

SEC. 1766. No money shall be paid to any person for his compensation who is in arrears to the United States, until he has accounted for and paid into the Treasury all sums for which he may be liable. In all cases where the pay or salary of any person is withheld in pursuance of this section, the accounting officers of the Treasury, if required to do so by the party, his agent or attorney, shall report forthwith to the Solicitor of the Treasury the balance due; and the Solicitor shall, within sixty days thereafter, order suit to be commenced against such delinquent and his sureties.

ACT JUNE 20, 1874, c. 328. (18 Stat. 85.)

Extra compensation or perquisites prohibited.

SEC. 3. That no civil officer of the Government shall hereafter receive any compensation or perquisites, directly or indirectly, from

the treasury or property of the United States beyond his salary or compensation allowed by law: * * *

Act June 20, 1874, c. 328, s. 3, 18 Stat. 109.

This is a section of the legislative, executive, and judicial appropriation act for the fiscal year 1875, cited above.

ACT MARCH 3, 1875, c. 133. (18 Stat. 452.)

Actual traveling expenses only to be allowed.

* * * That hereafter only actual travelling-expenses shall be allowed to any person holding employment or appointment under the United States, * * * and all allowances for mileages and transportation in excess of the amount actually paid, except as above excepted, are hereby declared illegal; and no credit shall be allowed to any of the disbursing-officers of the United States for payment or allowances in violation of this provision.

Act March 3, 1875, c. 133, s. 1, 18 Stat. 452.

This is a proviso annexed to the Army appropriation act for the fiscal year 1876, cited above. A like provision, without the word "hereafter," was contained in the similar act for the preceding fiscal year.

Officials and employees of the Department of Agriculture may receive a per diem allowance in lieu of subsistence and certain traveling expenses, by a provision of act August 10, 1912, c. 284, set forth on p. 21, *ante*.

The Secretary of Agriculture is authorized to purchase from appropriations for traveling expenses for employees of the Department of Agriculture, mileage and mileage books, by a provision of act March 4, 1907, c. 2907, set forth on p. 21, *ante*.

ACT JUNE 26, 1912, c. 182. (37 Stat. 139.)

Restriction on expenditures for membership fees or dues of officers or employees of United States in societies or associations, and for expenses of attendance at meetings or conventions thereof.

SEC. 8. No money appropriated by this or any other Act shall be expended for membership fees or dues of any officer or employee of the United States or of the District of Columbia in any society or association or for expenses of attendance of any person at any meeting or convention of members of any society or association, unless such fees, dues, or expenses are authorized to be paid by specific appropriations for such purposes or are provided for in express terms in some general appropriation.

Act June 26, 1912, c. 182, s. 8, 37 Stat. 184.

This section is a part of the District of Columbia appropriation act for the fiscal year 1913, cited above.

ACT AUGUST 24, 1912, c. 355. (37 Stat. 417.)

Expenses of attendance Government officers and employees during the fiscal year 1913 authorized; restriction.

SEC. 10. That section eight of the District of Columbia appropriation Act, approved June twenty-sixth, nineteen hundred and twelve, shall not take effect or be operative during the fiscal year nineteen hundred and thirteen except to the extent that it prohibits the payment of membership fees or dues in societies or associations: *Provided*, That during the fiscal year nineteen hundred and thirteen expenses of attendance of officers or employees of the Government at any meeting or convention of members of any society or association shall be incurred only on the written authority and direction of the heads of executive departments or other Government establishments or the Government of the District of Columbia; and a detailed

statement of all such expenses incurred from June thirtieth until December first, nineteen hundred and twelve, shall be submitted to Congress on or before January first, nineteen hundred and thirteen.

Act August 24, 1912, c. 355, s. 10, 37 Stat. 488.

This section is a part of the sundry civil appropriation act for the fiscal year 1913, cited above.

Act June 26, 1912, c. 182, s. 8, mentioned in this section, is set forth above.

REV. ST. SEC. 1763.

Double salaries.

SEC. 1763. No person who holds an office, the salary or annual compensation attached to which amounts to the sum of two thousand five hundred dollars, shall receive compensation for discharging the duties of any other office, unless expressly authorized by law.

ACT JULY 31, 1894, c. 174. (28 Stat. 162.)

Holding other lucrative office.

SEC. 2. * * * No person who holds an office the salary or annual compensation attached to which amounts to the sum of two thousand five hundred dollars shall be appointed to or hold any other office to which compensation is attached unless specially heretofore or hereafter specially authorized thereto by law; * * *

Act July 31, 1894, c. 174, s. 2, 28 Stat. 205.

This is a provision of the legislative, executive, and judicial appropriation act for the fiscal year 1895, cited above.

REV. ST. SEC. 2687.

Apportionment of compensation for part of a year's service.

SEC. 2687. Collectors and all other officers of the customs, serving for a less period than a year, shall not be paid for the entire year, but shall be allowed in no case a greater than a pro rata of the maximum compensation of such officers respectively for the time only which they actually serve as such collectors or officers, whether the same be under one or more appointments, or before or after confirmation. And no collector or other officer shall, in any case, receive for his services, either as fees, salary, fines, penalties, forfeitures, or otherwise, for the time he may be in service, beyond the maximum pro rata rate provided by law. And this section shall be applied and enforced in regard to all officers, agents, and employes of the United States whomsoever, as well those whose compensation is determined by a commission on disbursements, not to exceed an annual maximum, as those paid by salary or otherwise.

ACT JUNE 30, 1906, c. 3914. (34 Stat. 697.)

Annual or monthly compensation; rules for division of time and computation of pay.

SEC. 6. Hereafter, where the compensation of any person in the service of the United States is annual or monthly the following rules for division of time and computation of pay for services rendered are hereby established: Annual compensation shall be divided into twelve equal installments, one of which shall be the pay for each calendar month; and in making payments for a fractional part of a month one-thirtieth of one of such installments, or of a monthly compen-

sation, shall be the daily rate of pay. For the purpose of computing such compensation and for computing time for services rendered during a fractional part of a month in connection with annual or monthly compensation, each and every month shall be held to consist of thirty days, without regard to the actual number of days in any calendar month, thus excluding the thirty-first of any calendar month from the computation and treating February as if it actually had thirty days. Any person entering the service of the United States during a thirty-one day month and serving until the end thereof shall be entitled to pay for that month from the date of entry to the thirtieth day of said month, both days inclusive; and any person entering said service during the month of February and serving until the end thereof shall be entitled to one month's pay, less as many thirtieths thereof as there were days elapsed prior to date of entry: *Provided*, That for one day's unauthorized absence on the thirty-first day of any calendar month one day's pay shall be forfeited.

Act June 30, 1906, c. 3914, s. 6, 34 Stat. 763.

This section is a part of the sundry civil appropriation act for the fiscal year 1907, cited above.

A previous similar but less specific provision contained in the similar appropriation act for the fiscal year 1904 may be regarded as superseded by this section.

ACT AUGUST 8, 1888, c. 787. An act requiring notice of deficiency in accounts of principals to be given to sureties upon bonds of United States officials and fixing a limitation of time within which suits shall be brought against said sureties upon said bonds. (25 Stat. 387.)

Notice to sureties on official bonds of delinquency of principal.

That hereafter, whenever any deficiency shall be discovered in the accounts of any official of the United States, or of any officer disbursing or chargeable with public money, it shall be the duty of the accounting officers making such discovery to at once notify the head of the Department having control over the affairs of said officer of the nature and amount of said deficiency, and it shall be the immediate duty of said head of Department to at once notify all obligors upon the bond or bonds of such official of the nature of such deficiency and the amount thereof. Said notification shall be deemed sufficient if mailed at the post-office in the city of Washington, District of Columbia, addressed to said sureties respectively, and directed to the respective post-offices where said obligors may reside, if known; but a failure to give or mail such notice shall not discharge the surety or sureties upon such bond.

Act August 8, 1888, c. 787, s. 1, 25 Stat. 387.

Limitation of actions on official bonds.

SEC. 2. That if, upon the statement of the account of any official of the United States, or of any officer disbursing or chargeable with public money, by the accounting officers of the Treasury, it shall thereby appear that he is indebted to the United States, and suit therefor shall not be instituted within five years after such statement of said account, the sureties on his bond shall not be liable for such indebtedness.

Act August 8, 1888, c. 787, s. 2, 25 Stat. 387.

ACT AUGUST 15, 1876, c. 287. (19 Stat. 143.)

Officers or employees of United States prohibited from requesting, giving, or receiving contributions for political purposes; punishment.

SEC. 6. That all executive officers or employees of the United States not appointed by the President, with the advice and consent of the Senate, are prohibited from requesting, giving to, or receiving from, any other officer or employee of the Government, any money or property or other thing of value for political purposes; and any such officer or employee, who shall offend against the provisions of this section shall be at once discharged from the service of the United States; and he shall also be deemed guilty of a misdemeanor, and on conviction thereof shall be fined in a sum not exceeding five hundred dollars.

Act August 15, 1876, c. 287, s. 6, 19 Stat. 169.

This section is a part of the legislative, executive, and judicial appropriation act for the fiscal year 1877, cited above. Similar and more comprehensive provisions are contained in act March 4, 1909, c. 321, ss. 118-121, set forth below.

ACT MARCH 4, 1909, c. 321. (35 Stat. 1088.)

Soliciting or receiving political contributions by officers, clerks, and employees of United States from other such officers, clerks, and employees, prohibited.

SEC. 118. No Senator or Representative in, or Delegate or Resident Commissioner to Congress, or Senator, Representative, Delegate, or Resident Commissioner elect, or officer or employee of either House of Congress, and no executive, judicial, military, or naval officer of the United States, and no clerk or employee of any department, branch, or bureau of the executive, judicial, or military or naval service of the United States, shall, directly or indirectly, solicit or receive, or be in any manner concerned in soliciting or receiving, any assessment, subscription, or contribution for any political purpose whatever, from any officer, clerk, or employee of the United States, or any department, branch, or bureau thereof, or from any person receiving any salary or compensation from moneys derived from the Treasury of the United States.

Act March 4, 1909, c. 321, s. 118, 35 Stat. 1110.

This is a section of "An act to codify, revise, and amend the penal laws of the United States," cited above, incorporating therein the provisions of section 11, act January 16, 1883, c. 27, 22 Stat. 406, which section is expressly repealed by section 341 of this act.

Soliciting or receiving political contributions in public offices, prohibited.

SEC. 119. No person shall, in any room or building occupied in the discharge of official duties by any officer or employee of the United States mentioned in the preceding section, or in any navy-yard, fort, or arsenal, solicit in any manner whatever or receive any contribution of money or other thing of value for any political purpose whatever.

Act March 4, 1909, c. 321, s. 119, 35 Stat. 1110.

This is a section of "An act to codify, revise, and amend the penal laws of the United States," cited above, incorporating therein the provisions of section 12, act January 16, 1883, c. 27, 22 Stat. 407, which section is expressly repealed by section 341 of this act.

Discharge, promotion, degrading, etc., officers or employees for giving, withholding, etc., political contributions, prohibited.

SEC. 120. No officer or employee of the United States mentioned in section one hundred and eighteen, shall discharge, or promote, or

degrade, or in any manner change the official rank or compensation of any other officer or employee, or promise or threaten so to do, for giving or withholding or neglecting to make any contribution of money or other valuable thing for any political purpose.

Act March 4, 1909, c. 321, s. 120, 35 Stat. 1110.

This is a section of "An act to codify, revise, and amend the penal laws of the United States," cited above, incorporating therein the provisions of section 13, act January 16, 1883, c. 23, 22 Stat. 407, which section is expressly repealed by section 341 of this act.

Making political contributions by officers or employees of United States to other such officers or employees, prohibited.

SEC. 121. No officer, clerk, or other person in the service of the United States shall, directly or indirectly, give or hand over to any other officer, clerk, or person in the service of the United States, or to any Senator or Member of or Delegate to Congress, or Resident Commissioner, any money or other valuable thing on account of or to be applied to the promotion of any political object whatever.

Act March 4, 1909, c. 321, s. 121, 35 Stat. 1110.

This is a section of "An act to codify, revise, and amend the penal laws of the United States," cited above, incorporating therein the provisions of section 14, act January 16, 1883, c. 23, 22 Stat. 407, which section is expressly repealed by section 341 of this act.

Penalty for violating provisions of four preceding sections.

SEC. 122. Whoever shall violate any provision of the four preceding sections shall be fined not more than five thousand dollars, or imprisoned not more than three years, or both.

Act March 4, 1909, c. 321, s. 122, 35 Stat. 1110.

This is a section of "An act to codify, revise, and amend the penal laws of the United States," cited above, incorporating therein the provisions of section 15, act January 16, 1883, c. 23, 22 Stat. 407, which section is expressly repealed by section 341 of this act.

REV. ST. SEC. 1784.

Contributions, presents, etc., to superiors, prohibited; punishment.

SEC. 1784. No officer, clerk, or employé in the United States Government employ shall at any time solicit contributions from other officers, clerks, or employés in the Government service for a gift or present to those in a superior official position; nor shall any such officials or clerical superiors receive any gift or present offered or presented to them as a contribution from persons in Government employ receiving a less salary than themselves; nor shall any officer or clerk make any donation as a gift or present to any official superior. Every person who violates this section shall be summarily discharged from the Government employ.

ACT FEBRUARY 24, 1899, c. 187. (30 Stat. 846.)

Civil pension roll prohibited.

* * * The establishment of a civil pension roll or an honorable service roll, or the exemption of any of the officers, clerks, and persons in the public service from the existing laws respecting employment in such service, is hereby prohibited: * * *

Act February 24, 1899, c. 187, s. 4, 30 Stat. 890.

This is a provision of the legislative, executive, and judicial appropriation act for the fiscal year 1900, cited above.

A proviso annexed to this provision, relating to annual leave of absence, is set forth below.

ACT JUNE 7, 1897, c. 3. (30 Stat. 62.)

Expenditures for transportation of remains of deceased employees.

* * * That hereafter the heads of Departments shall not authorize any expenditure in connection with transportation of remains of deceased employees, except when otherwise specifically provided by law.

Act June 7, 1897, c. 3, s. 1, 30 Stat. 86.

This is a proviso annexed to an appropriation for such expenditures in the Indian appropriation act for the fiscal year 1898, cited above.

REV. ST. SEC. 162.

Hours of business.

SEC. 162. From the first day of October until the first day of April, in each year, all the Bureaus and offices in the State, War, Treasury, Navy, and Post-Office Departments, and in the General Land-Office, shall be open for the transaction of the public business at least eight hours in each day; and from the first day of April until the first day of October, in each year, at least ten hours in each day; except Sundays and days declared public holidays by law.

This section is embraced in Title IV of the Revised Statutes, the provisions of which are made applicable to the Department of Agriculture by act February 9, 1889, c. 122, s. 1, set forth on p. 9, *ante*.

By a provision of act March 3, 1893, c. 211, s. 5, set forth below, not less than seven hours of labor each day, except Sundays and public holidays, shall be required of all clerks and employees of the departments.

ACT MARCH 3, 1893, c. 211. (27 Stat. 675.)

Closing departments on decease of ex-official prohibited.

SEC. 4. That hereafter the Executive Departments of the Government shall not be closed as a mark to the memory of any deceased ex-official of the United States.

Act March 3, 1893, c. 211, s. 4, 27 Stat. 715.

This is a section of the legislative, executive, and judicial appropriation act for the fiscal year 1894, cited above.

Hours of labor and leaves of absence of clerks and other employees in departments.

SEC. 5. Hereafter it shall be the duty of the heads of the several Executive Departments, in the interest of the public service, to require of all clerks and other employees, of whatever grade or class, in their respective Departments, not less than seven hours of labor each day, except Sundays and days declared public holidays by law or Executive order: *Provided*, That the heads of the Departments may, by special order, stating the reason, further extend the hours of any clerk or employee in their Departments, respectively; but in case of an extension it shall be without additional compensation: *Provided, further*, That the head of any Department may grant thirty days' annual leave with pay in any one year to each clerk or employee: *And provided further*, That where some member of the immediate family of a clerk or employee is afflicted with a contagious disease and requires the care and attendance of such employee, or where his or her presence in the Department would jeopardize the health of fellow-clerks, and in exceptional and meritorious cases, where a clerk or employee is personally ill, and where to limit the

annual leave to thirty days in any one calendar year would work peculiar hardship, it may be extended, in the discretion of the head of the Department, with pay, not exceeding thirty days in any one case or in any one calendar year.

This section shall not be construed to mean that so long as a clerk or employee is borne upon the rolls of the Department in excess of the time herein provided for or granted that he or she shall be entitled to pay during the period of such excessive absence, but that the pay shall stop upon the expiration of the granted leave.

Hereafter it shall be the duty of the head of each Executive Department to require monthly reports to be made to him as to the condition of the public business in the several bureaus or offices of his Department at Washington; and in each case where such reports disclose that the public business is in arrears, the head of the Department in which such arrears exist shall require, as provided herein, an extension of the hours of service to such clerks or employees as may be necessary to bring up such arrears of public business.

Hereafter it shall be the duty of the head of each Executive Department, or other Government establishment at the seat of government, not under an Executive Department, to make at the expiration of each quarter of the fiscal year a written report to the President as to the condition of the public business in his Executive Department or Government establishment, and whether any branch thereof is in arrears.

Act March 3, 1893, c. 211, s. 5, 27 Stat. 715, as amended by act March 15, 1898, c. 68, s. 7, 30 Stat. 316.

These are provisions of the legislative, executive, and judicial appropriation act for the fiscal year 1894, cited above, as amended by the similar appropriation act for the fiscal year 1899 also cited. Provisions relating to the subject of this section, contained in the similar appropriation act for the fiscal year 1884, act March 3, 1883, c. 128, s. 4, 22 Stat. 563, were substantially incorporated in said act March 3, 1893, c. 211, as originally enacted.

ACT JULY 7, 1898, c. 571. (30 Stat. 652.)

Annual leave of absence, notwithstanding sick leave.

Nothing contained in section seven of the Act making appropriations for legislative, executive, and judicial expenses of the Government for the fiscal year eighteen hundred and ninety-nine, approved March fifteenth, eighteen hundred and ninety-eight, shall be construed to prevent the head of any Executive Department from granting thirty days' annual leave with pay in any one year to a clerk or employee, notwithstanding such clerk or employee may have had during such year not exceeding thirty days' leave with pay on account of sickness as provided in said section seven.

Act July 7, 1898, c. 571, s. 1, 30 Stat. 653.

This is a provision of the deficiency appropriation act for the fiscal year 1898, cited above.

Section 7 of act March 15, 1898, c. 68, was an amendment of section 5 of the legislative, executive, and judicial appropriation act for the fiscal year 1894, act March 3, 1893, c. 211, which, as amended, is set forth above.

Purchase of recording clocks forbidden.

* * * That no recording clocks used for recording time of clerks or other employees shall be purchased for use in any of the Executive

Departments at Washington, District of Columbia, except from moneys specifically appropriated therefor.

Act July 7, 1898, c. 571, s. 1, 30 Stat. 655.

This is a proviso annexed to an appropriation for the purchase of numbering, etc., machines in the act cited above.

ACT FEBRUARY 24, 1899, c. 187. (30 Stat. 846.)

Use of recording clocks in departments forbidden.

No money appropriated by this Act shall be used for expense of repairing recording clocks used for recording time of clerks or other employees in any of the Executive Departments at Washington, nor shall there hereafter be used in any of the Executive Departments at Washington, any such recording clocks.

Act February 24, 1899, c. 187, s. 1, 30 Stat. 864.

This is a paragraph of the legislative, executive, and judicial appropriation act for the fiscal year 1900, cited above.

Annual leave of absence, exclusive of Sundays and holidays.

* * * That the thirty days' annual leave of absence with pay in any one year to clerks and employees in the several Executive Departments authorized by existing law shall be exclusive of Sundays and legal holidays.

Act February 24, 1889, c. 187, s. 4, 30 Stat. 890.

This is a proviso annexed to the legislative, executive, and judicial appropriation act for the fiscal year 1900, cited above.

REV. ST. DISTRICT OF COLUMBIA, SEC. 993.

Holidays in District of Columbia.

SEC. 993. The following days, namely: The first day of January, commonly called New-Year's day; the fourth day of July; the twenty-fifth day of December, commonly called Christmas day; and any day appointed or recommended by the President of the United States as a day of public fast or thanksgiving, shall be holidays within the District, [of Columbia] * * *.

ACT JANUARY 31, 1879, c. 38. An act to amend section nine hundred and ninety-three of the Revised Statutes of the United States for the District of Columbia, so as to make the twenty-second day of February a holiday within said District. (20 Stat. 277.)

Washington's birthday a legal holiday in District of Columbia.

That section nine hundred and ninety-three of the Revised Statutes of the United States relating to the District of Columbia be, and the same hereby is, amended by adding to the days therein declared to be holidays within the District the twenty-second day of February; * * *.

Act January 31, 1879, c. 38, 20 Stat. 277.

ACT JUNE 18, 1888, c. 391. An act to amend section nine hundred and ninety-three of the Revised Statutes of the United States for the District of Columbia, so as to make Inauguration Day a holiday within said District. (25 Stat. 185.)

Inauguration Day a legal holiday in District of Columbia.

That section nine hundred and ninety-three of the Revised Statutes of the United States, relating to the District of Columbia, be, and

the same hereby is, amended, by adding to the days therein declared to be holidays within the said District, that day upon which the President of the United States is inaugurated, otherwise called Inauguration Day, and that such day shall be a holiday for all the purposes mentioned in said section.

Act June 18, 1888, c. 391, 25 Stat. 185.

ACT AUGUST 1, 1888, c. 723. An act making May thirtieth a holiday in the District of Columbia. (25 Stat. 353.)

Decoration Day a legal holiday in District of Columbia.

That the thirtieth day of May in each year, usually called "Decoration Day," shall be, and hereby is, made a holiday within the District of Columbia as fully in all respects as are the days mentioned as holidays in section nine hundred and ninety-three of the Revised Statutes of the District of Columbia.

Act August 1, 1888, c. 723, 25 Stat. 353.

ACT JUNE 28, 1894, c. 118. An act making Labor Day a legal holiday. (28 Stat. 96.)

Labor Day a legal holiday.

That the first Monday of September in each year, being the day celebrated and known as Labor's Holiday, is hereby made a legal public holiday, to all intents and purposes, in the same manner as Christmas, the first day of January, the twenty-second day of February, the thirtieth day of May, and the fourth day of July are now made by law public holidays.

Act June 28, 1894, c. 118, 28 Stat. 96.

ACT DECEMBER 20, 1881, c. 2. An act to amend section nine hundred and ninety-three of the Revised Statutes of the United States for the District of Columbia, and an act entitled "An act to amend section nine hundred and ninety-three of the Revised Statutes of the United States for the District of Columbia," approved January thirty-first, eighteen hundred and seventy-nine. (22 Stat. 1.)

Legal holidays in District of Columbia falling on Sunday.

That whenever any day set apart as a legal holiday within the District of Columbia shall fall on the first day of the week, commonly called Sunday, then and in such event the day next succeeding shall be a holiday within the District of Columbia, * * *

Act December 20, 1881, c. 2, 22 Stat. 1.

RES. JANUARY 6, 1885, No. 5. Joint resolution providing for the payment of laborers in Government employ for certain holidays. (23 Stat. 516.)

Holidays allowed to per diem employees.

That the employees of the Navy Yard, Government Printing Office, Bureau of Printing and Engraving, and all other per diem employees of the Government on duty at Washington, or elsewhere in the United States, shall be allowed the following holidays, to wit: The first day of January, the twenty-second day of February, the fourth day of July, the twenty-fifth day of December, and such days as may be designated by the President as days for national thanksgiving, and shall receive the same pay as on other days.

Res. January 6, 1885, No. 5, 23 Stat. 516.

RES. FEBRUARY 23, 1887, No. 6. Joint resolution providing for the payment of per diem laborers in Government employ on "Memorial" or "Decoration Day," and the Fourth day of July, of each year, as on other days. (24 Stat. 644.)

Holidays allowed to per diem employees.

That all per diem employees of the Government, on duty at Washington or elsewhere in the United States, shall be allowed the day of each year, which is celebrated as "Memorial" or "Decoration Day" and the fourth of July of each year, as holiday, and shall receive the same pay as on other days.

Res. February 23, 1887, No. 6, 24 Stat. 644.

REV. ST. SEC. 1757.

Oath of office.

SEC. 1757. Whenever any person who is not rendered ineligible to office by the provisions of the fourteenth amendment to the Constitution is elected or appointed to any office of honor or trust under the Government of the United States, and is not able, on account of his participation in the late rebellion, to take the oath prescribed in the preceding section, he shall, before entering upon the duties of his office, take and subscribe in lieu of that oath the following oath: "I, A B, do solemnly swear (or affirm) that I will support and defend the Constitution of the United States against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties of the office on which I am about to enter. So help me God."

ACT MAY 13, 1884, c. 46. (23 Stat. 21.)

Form of oath of office.

SEC. 2. That section seventeen hundred and fifty-six of the Revised Statutes be, and the same is hereby, repealed; and hereafter the oath to be taken by any person elected or appointed to any office of honor or profit either in the civil, military, or naval service, except the President of the United States, shall be as prescribed in section seventeen hundred and fifty-seven of the Revised Statutes. But this repeal shall not affect the oaths prescribed by existing statutes in relation to the performance of duties in special or particular sub-ordinate offices and employments.

Act May 13, 1884, c. 46, s. 2, 23 Stat. 22.

This is a portion of "An act amending the Revised Statutes of the United States in respect of official oaths, and for other purposes," cited above.

REV. ST. SEC. 1758.

Who may administer oath of office.

SEC. 1758. The oath of office required by either of the two preceding sections may be taken before any officer who is authorized either by the laws of the United States, or by the local municipal law, to administer oaths, in the State, Territory, or District where such oath may be administered.

The two preceding sections referred to in this section are Rev. St. secs. 1756 and 1757. Rev. St. sec. 1757 is set forth above, and Rev. St. sec. 1756 is repealed by act May 13, 1884, c. 46, s. 2, set forth above.

ACT AUGUST 29, 1890, c. 820. (26 Stat. 370.)

Oaths of office to be administered without compensation; chief clerks of departments authorized to administer oaths of office.

* * * And no officer, clerk, or employee of any executive department who is also a notary public or other officer authorized to administer oaths, shall charge or receive any fee or compensation for administering oaths of office to employees of such department required to be taken on appointment or promotion therein.

And the Chief Clerks of the several Executive Departments and of the various bureaus and offices thereof in Washington, District of Columbia, are hereby authorized and directed, on application and without compensation therefor, to administer oaths of office to employees required to be taken on their appointment or promotion.

Act August 29, 1890, c. 820, 26 Stat. 371.

ACT AUGUST 24, 1912, c. 355. (37 Stat. 417.)

Government officials required to administer oaths to accounts for travel, etc.; fees forbidden.

SEC. 8. After June thirtieth, nineteen hundred and twelve, postmasters, assistant postmasters, collectors of customs, collectors of internal revenue, chief clerks of the various executive departments and bureaus, or clerks designated by them for the purpose, the superintendent, the acting superintendent, custodian, and principal clerks of the various national parks and other Government reservations, superintendent, acting superintendents, and principal clerks of the different Indian superintendencies or Indian agencies, and chiefs of field parties, are required, empowered, and authorized, when requested, to administer oaths, required by law or otherwise, to accounts for travel or other expenses against the United States, with like force and effect as officers having a seal; for such services when so rendered, or when rendered on demand after said date by notaries public, who at the time are also salaried officers or employees of the United States, no charge shall be made; and on and after July first, nineteen hundred and twelve, no fee or money paid for the services herein described shall be paid or reimbursed by the United States.

Act August 24, 1912, c. 355, s. 8, 37 Stat. 487.

This section is a part of the sundry civil appropriation act for the fiscal year 1913, cited above.

REV. ST. SEC. 1759.

Custody of oath of office.

SEC. 1759. The oath of office taken by any person pursuant to the requirements of section seventeen hundred and fifty-six, or of section seventeen hundred and fifty-seven, shall be delivered in by him to be preserved among the files of the House of Congress, Department, or court to which the office in respect to which the oath is made may appertain.

See note under Rev. St. sec. 1758, set forth above.

REV. ST. SEC. 183.

Officers or clerks investigating frauds authorized to administer oaths.

SEC. 183. Any officer or clerk of any of the departments lawfully detailed to investigate frauds on, or attempts to defraud, the Government, or any irregularity or misconduct of any officer or agent of the

United States, * * * shall have authority to administer an oath to any witness attending to testify or depose in the course of such investigation.

This section is amended to read as above by act March 2, 1901, c. 809, s. 3, 31 Stat. 951, and act February 13, 1911, c. 43, 36 Stat. 898.

REV. ST. SEC. 1778.

Taking oaths, acknowledgments, etc.

SEC. 1778. In all cases in which, under the laws of the United States, oaths or acknowledgments may now be taken or made before any justice of the peace of any State or Territory, or in the District of Columbia, they may hereafter be also taken or made by or before any notary public duly appointed in any State, district, or Territory, or any of the commissioners of the circuit courts, and, when certified under the hand and official seal of such notary or commissioner, shall have the same force and effect as if taken or made by or before such justice of the peace.

ACT AUGUST 13, 1894, c. 282. An act relative to recognizances, stipulations, bonds, and undertakings, and to allow certain corporations to be accepted as surety thereon. (28 Stat. 279.)

That whenever any recognizance, stipulation, bond, or undertaking conditioned for the faithful performance of any duty, or for doing or refraining from doing anything in such recognizance, stipulation, bond, or undertaking specified, is by the laws of the United States required or permitted to be given with one surety or with two or more sureties, the execution of the same or the guaranteeing of the performance of the condition thereof shall be sufficient when executed or guaranteed solely by a corporation incorporated under the laws of the United States, or of any State having power to guarantee the fidelity of persons holding positions of public or private trust, and to execute and guarantee bonds and undertakings in judicial proceedings: *Provided*, That such recognizance, stipulation, bond, or undertaking be approved by the head of department, * * * officer, board, or body executive, * * * required to approve or accept the same. But no officer or person having the approval of any bond shall exact that it shall be furnished by a guarantee company or by any particular guarantee company.

Act August 13, 1894, c. 282, s. 1, 28 Stat. 279.

ACT AUGUST 5, 1909, c. 7. (36 Stat. 118.)

Premium on surety bonds for officers or employees, limited; no payment of premium, etc., by Government.

Until otherwise provided by law no bond shall be accepted from any surety or bonding company for any officer or employee of the United States which shall cost more than thirty-five per centum in excess of the rate of premium charged for a like bond during the calendar year nineteen hundred and eight: *Provided*, That hereafter the United States shall not pay any part of the premium or other cost of furnishing a bond required by law or otherwise of any officer or employee of the United States.

Act August 5, 1909, c. 7, 36 Stat. 125.

This is a paragraph of the urgent deficiency appropriation act for the fiscal year 1909, cited above.

ACT MARCH 2, 1895, c. 177. (28 Stat. 764.)

Examination and renewal of official bonds.

Hereafter every officer required by law to take and approve official bonds shall cause the same to be examined at least once every two years for the purpose of ascertaining the sufficiency of the sureties thereon; and every officer having power to fix the amount of an official bond shall examine it to ascertain the sufficiency of the amount thereof and approve or fix said amount at least once in two years and as much oftener as he may deem it necessary.

Hereafter every officer whose duty it is to take and approve official bonds shall cause such bonds to be renewed every four years after their dates, but he may require such bonds to be renewed or strengthened oftener if he deems such action necessary. In the discretion of such officer the requirement of a new bond may be waived for the period of service of a bonded officer after the expiration of a four-year term of service pending the appointment and qualification of his successor: *Provided*, That the nonperformance of any requirement of this section on the part of any official of the Government shall not be held to affect in any respect the liability of principal or sureties on any bond made or to be made to the United States: *Provided further*, That the liability of the principal and sureties on all official bonds shall continue and cover the period of service ensuing until the appointment and qualification of the successor of the principal: * * *

Act March 2, 1895, c. 177, s. 5, 28 Stat. 807.

These are provisions of the legislative, executive, and judicial appropriation act for the fiscal year 1896, cited above.

ACT MARCH 4, 1909, c. 321. (35 Stat. 1088.)

Conspiring to prevent officer from performing duties; punishment.

SEC. 21. If two or more persons in any State, Territory, or District conspire to prevent, by force, intimidation, or threat, any person from accepting or holding any office, trust, or place of confidence under the United States, or from discharging any duties thereof; or to induce by like means any officer of the United States to leave any State, Territory, District, or place, where his duties as an officer are required to be performed, or to injure him in his person or property on account of his lawful discharge of the duties of his office, or while engaged in the lawful discharge thereof, or to injure his property so as to molest, interrupt, hinder, or impede him in the discharge of his official duties, each of such persons shall be fined not more than five thousand dollars, or imprisoned not more than six years, or both.

Act March 4, 1909, c. 321, s. 21, 35 Stat. 1092.

This is a section of "An act to codify, revise, and amend the penal laws of the United States," cited above, incorporating therein the provisions of Rev. St. sec. 5518, which section is expressly repealed by section 341 of this act.

Falsely pretending to be United States officer; punishment.

SEC. 32. Whoever, with intent to defraud either the United States or any person, shall falsely assume or pretend to be an officer or employee acting under the authority of the United States, or any Department, or any officer of the Government thereof, and shall take upon himself to act as such, or shall in such pretended character

demand or obtain from any person or from the United States, or any Department, or any officer of the Government thereof, any money, paper, document, or other valuable thing, shall be fined not more than one thousand dollars, or imprisoned not more than three years, or both.

Act March 4, 1909, c. 321, s. 32, 35 Stat. 1095.

This is a section of "An act to codify, revise, and amend the penal laws of the United States," cited above, incorporating therein provisions of Rev. St. sec. 5438, and act April 18, 1884, c. 26, 23 Stat. 11. Said Rev. St. sec. 5438 and act April 18, 1884, are expressly repealed by section 341 of this act.

Bribery of officer of United States; punishment.

SEC. 39. Whoever shall promise, offer, or give, or cause or procure to be promised, offered, or given, any money or other thing of value, or shall make or tender any contract, undertaking, obligation, gratuity, or security for the payment of money, or for the delivery or conveyance of anything of value, to any officer of the United States, or to any person acting for or on behalf of the United States in any official function, under or by authority of any department or office of the Government thereof, or to any officer or person acting for or on behalf of either House of Congress, or of any committee of either House, or both Houses thereof, with intent to influence his decision or action on any question, matter, cause, or proceeding which may at any time be pending, or which may by law be brought before him in his official capacity, or in his place of trust or profit, or with intent to influence him to commit or aid in committing, or to collude in, or allow, any fraud, or make opportunity for the commission of any fraud, on the United States, or to induce him to do or omit to do any act in violation of his lawful duty, shall be fined not more than three times the amount of money or value of the thing so offered, promised, given, made, or tendered, or caused or procured to be so offered, promised, given, made, or tendered, and imprisoned not more than three years.

Act March 4, 1909, c. 321, s. 39, 35 Stat. 1095.

This is a section of "An act to codify, revise, and amend the penal laws of the United States," cited above, incorporating therein the provisions of Rev. St. sec. 5451, which section is expressly repealed by section 341 of this act.

Extortion by officials; punishment.

SEC. 85. Every officer, clerk, agent, or employee of the United States, and every person representing himself to be or assuming to act as such officer, clerk, agent, or employee, who, under color of his office, clerkship, agency, or employment, or under color of his pretended or assumed office, clerkship, agency, or employment, is guilty of extortion, and every person who shall attempt any act which if performed would make him guilty of extortion, shall be fined not more than five hundred dollars, or imprisoned not more than one year, or both.

Act March 4, 1909, c. 321, s. 85, 35 Stat. 1104.

This is a section of "An act to codify, revise, and amend the penal laws of the United States," cited above, incorporating therein the provisions of Rev. St. sec. 5481 as amended by act June 28, 1906, c. 3574, 34 Stat. 546, which said section is expressly repealed by section 341 of this act.

Failure to make returns or reports; punishment.

SEC. 101. Every officer who neglects or refuses to make any return or report which he is required to make at stated times by any Act of Congress or regulation of the Department of the Treasury, other than his accounts, within the time prescribed by such Act or regulation, shall be fined not more than one thousand dollars.

Act March 4, 1909, c. 321, s. 101, 35 Stat. 1107.

This is a section of "An act to codify, revise, and amend the penal laws of the United States," cited above, incorporating therein Rev. St. sec. 1780, which said section is expressly repealed by section 341 of this act.

Purchasing court fees at less than face value; punishment.

SEC. 104. Whoever, being a judge, clerk, or deputy clerk of any court of the United States, or of any territory thereof, or a United States district attorney, assistant attorney, marshal, deputy marshal, commissioner, or other person holding any office or employment, or position of trust or profit under the Government of the United States shall, either directly or indirectly, purchase at less than the full face value thereof, any claim against the United States for the fee, mileage, or expenses of any witness, juror, deputy marshal, or any other officer of the court whatsoever, shall be fined not more than one thousand dollars.

Act March 4, 1909, c. 321, s. 104, 35 Stat. 1107.

This is a section of "An act to codify, revise, and amend the penal laws of the United States," cited above, incorporating therein the provisions of act February 25, 1897, c. 316, 29 Stat. 595, which said act is expressly repealed by section 341 of this act.

False certificate or writing; punishment.

SEC. 106. Whoever, being a public officer or other person authorized by any law of the United States to make or give a certificate or other writing, shall knowingly make and deliver as true such a certificate or writing, containing any statement which he knows to be false, in a case where the punishment thereof is not elsewhere expressly provided by law, shall be fined not more than five hundred dollars, or imprisoned not more than one year, or both.

Act March 4, 1909, c. 321, s. 106, 35 Stat. 1107.

This is a section of "An act to codify, revise, and amend the penal laws of the United States," cited above.

Officers interested in claims against United States; punishment.

SEC. 109. Whoever, being an officer of the United States, or a person holding any place of trust or profit, or discharging any official function under, or in connection with, any Executive Department of the Government of the United States, or under the Senate or House of Representatives of the United States, shall act as an agent or attorney for prosecuting any claim against the United States, or in any manner, or by any means, otherwise than in discharge of his proper official duties, shall aid or assist in the prosecution or support of any such claim, or receive any gratuity, or any share of or interest in any claim from any claimant against the United States, with intent to aid or assist, or in consideration of having aided or assisted, in the prosecution of such claim, shall be fined not more

than five thousand dollars, or imprisoned not more than one year, or both.

Act March 4, 1909, c. 321, s. 109, 35 Stat. 1107.

This is a section of "An act to codify, revise, and amend the penal laws of the United States," cited above, incorporating therein the provisions of Rev. St. sec. 5498, which said section is expressly repealed by section 341 of this act.

Rev. St. sec. 190, set forth on p. 304, *post*, provides that it shall be unlawful for any person formerly employed in any of the departments to act as counsel, etc., for prosecuting any claim against the United States pending while he was so employed, or aid in the prosecution of such claim within two years after he has ceased to be so employed.

Member of Congress or officer or agent of the United States taking consideration for procuring, etc., contract, office, etc., from officer or department; offering, giving, etc., consideration to procure, etc., contract, office, etc.; punishment; such contracts voidable.

SEC. 112. Whoever, being elected or appointed a Member of or Delegate to Congress, or a Resident Commissioner, shall, after his election or appointment and either before or after he has qualified and during his continuance in office, or being an officer or agent of the United States, shall directly or indirectly take, receive, or agree to receive, from any person, any money, property, or other valuable consideration whatever, for procuring, or aiding to procure, any contract, appointive office, or place from the United States or from any officer or Department thereof, for any person whatever, or for giving any such contract, appointive office, or place to any person whomsoever; or whoever, directly or indirectly, shall offer, or agree to give, or shall give, or bestow, any money, property, or other valuable consideration whatever, for the procuring, or aiding to procure, any such contract, appointive office, or place, shall be fined not more than ten thousand dollars and imprisoned not more than two years; and shall, moreover, be disqualified from holding any office of honor, profit, or trust under the Government of the United States. Any such contract or agreement may, at the option of the President, be declared void.

Act March 4, 1909, c. 321, s. 112, 35 Stat. 1108.

This is a section of "An act to codify, revise, and amend the penal laws of the United States," cited above, incorporating therein the provisions of Rev. St. sec. 1781, which section is expressly repealed by section 341 of this act.

Member of Congress or officer or clerk of United States receiving, etc., pay in matters affecting United States; punishment.

SEC. 113. Whoever, being elected or appointed a Senator, Member of or Delegate to Congress, or a Resident Commissioner, shall, after his election or appointment and either before or after he has qualified, and during his continuance in office, or being the head of a department, or other officer or clerk in the employ of the United States, shall, directly or indirectly, receive, or agree to receive, any compensation whatever for any services rendered or to be rendered to any person, either by himself or another, in relation to any proceeding, contract, claim, controversy, charge, accusation, arrest, or other matter or thing in which the United States is a party or directly or indirectly interested, before any department, court-martial, bureau, officer, or any civil, military, or naval commission whatever, shall be fined not more than ten thousand dollars and imprisoned not more than

two years; and shall, moreover, thereafter be incapable of holding any office of honor, trust, or profit under the Government of the United States.

Act March 4, 1909, c. 321, s. 113, 35 Stat. 1109.

This is a section of "An act to codify, revise, and amend the penal laws of the United States," cited above, incorporating therein the provisions of Rev. St. sec. 1782, which section is expressly repealed by section 341 of this act.

Officers of United States accepting bribe.

SEC. 117. Whoever, being an officer of the United States, or a person acting for or on behalf of the United States, in any official capacity, under or by virtue of the authority of any department or office of the Government thereof; or whoever, being an officer or person acting for or on behalf of either House of Congress, or of any committee of either House, or of both Houses thereof, shall ask, accept, or receive, any money, or any contract, promise, undertaking, obligation, gratuity, or security for the payment of money, or for the delivery or conveyance of anything of value, with intent to have his decision or action on any question, matter, cause, or proceeding which may at any time be pending, or which may by law be brought before him in his official capacity, or in his place of trust or profit, influenced thereby, shall be fined not more than three times the amount of money or value of the thing so asked, accepted, or received, and imprisoned not more than three years; and shall, moreover, forfeit his office or place and thereafter be forever disqualified from holding any office of honor, trust, or profit under the Government of the United States.

Act March 4, 1909, c. 321, s. 117, 35 Stat. 1109.

This is a section of "An act to codify, revise, and amend the penal laws of the United States," cited above, incorporating therein the provisions of Rev. St. secs. 5501 and 5502, which sections are expressly repealed by section 341 of this act.

Officers or employees giving advance information of crop reports; punishment; actual knowledge required.

SEC. 123. Whoever, being an officer or employee of the United States or a person acting for or on behalf of the United States in any capacity under or by virtue of the authority of any department or office thereof, and while holding such office, employment, or position shall, by virtue of the office, employment, or position held by him, become possessed of any information which might exert an influence upon or affect the market value of any product of the soil grown within the United States, which information is by law or by the rules of the department or office required to be withheld from publication until a fixed time, and shall willfully impart, directly or indirectly, such information, or any part thereof, to any person not entitled under the law or the rules of the department or office to receive the same; or shall, before such information is made public through regular official channels, directly or indirectly speculate in any such product respecting which he has thus become possessed of such information, by buying or selling the same in any quantity, shall be fined not more than ten thousand dollars, or imprisoned not more than ten years, or both: *Provided*, That no person shall be deemed guilty of a

violation of any such rule, unless prior to such alleged violation he shall have had actual knowledge thereof.

Act March 4, 1909, c. 321, s. 123, 35 Stat. 1110.

This is a section of "An act to codify, revise, and amend the penal laws of the United States," cited above.

Officer or employee issuing false crop reports; punishment.

SEC. 124. Whoever, being an officer or employee of the United States and whose duties require the compilation or report of statistics or information relative to the products of the soil, shall knowingly compile for issuance, or issue, any false statistics or information as a report of the United States, shall be fined not more than five thousand dollars, or imprisoned not more than five years, or both.

Act March 4, 1909, c. 321, s. 124, 35 Stat. 1111.

This is a section of "An act to codify, revise, and amend the penal laws of the United States," cited above.

Bribery of officer authorized to determine any question, etc.; punishment.

SEC. 131. Whoever, directly or indirectly, shall give or offer, or cause to be given or offered, any money, property, or value of any kind, or any promise or agreement therefor, or any other bribe, to any judge, judicial officer, or other person authorized by any law of the United States to hear or determine any question, matter, cause, proceeding, or controversy, with intent to influence his action, vote, opinion, or decision thereon, or because of any such action, vote, opinion, or decision, shall be fined not more than twenty thousand dollars, or imprisoned not more than fifteen years, or both; and shall forever be disqualified to hold any office of honor, trust, or profit under the United States.

Act March 4, 1909, c. 321, s. 131, 35 Stat. 1112.

This is a section of "An act to codify, revise, and amend the penal laws of the United States," cited above, incorporating therein the provisions of Rev. St. sec. 5449, which section is expressly repealed by section 341 of this act.

Officer authorized to determine any question, etc., receiving bribe; punishment.

SEC. 133. Whoever, being a juror, referee, arbitrator, appraiser, assessor, auditor, master, receiver, United States commissioner, or other person authorized by any law of the United States to hear or determine any question, matter, cause, controversy, or proceeding, shall ask, receive, or agree to receive, any money, property, or value of any kind, or any promise or agreement therefor, upon any agreement or understanding that his vote, opinion, action, judgment, or decision, shall be influenced thereby, or because of any such vote, opinion, action, judgment, or decision, shall be fined not more than two thousand dollars, or imprisoned not more than two years, or both.

Act March 4, 1909, c. 321, s. 133, 35 Stat. 1112.

This is a section of "An act to codify, revise, and amend the penal laws of the United States," cited above.

REV. ST. SEC. 190.

Persons formerly in the departments not to prosecute claims in them.

SEC. 190. It shall not be lawful for any person appointed after the first day of June, one thousand eight hundred and seventy-two, as an officer, clerk, or employé in any of the Departments, to act as counsel, attorney, or agent for prosecuting any claim against the

United States which was pending in either of said Departments while he was such officer, clerk, or employé, nor in any manner, nor by any means, to aid in the prosecution of any such claim, within two years next after he shall have ceased to be such officer, clerk, or employé.

Officers of the United States are prohibited from aiding or sharing in any claim against the United States, and punishment therefor is provided by act March 4, 1909, c. 321, s. 109, set forth on p. 301, *ante*.

ACT MARCH 3, 1901, c. 854. (31 Stat. 1189.)

Officers of the Government exempt from jury duty.

SEC. 217. All executive * * * officers, salaried officers of the Government of the United States * * * shall be exempt from jury duty, and their names shall not be placed on the jury lists.

Act March 3, 1901, c. 854, s. 217, 31 Stat. 1224.

This section is a portion of "An act to establish a code of law for the District of Columbia," cited above.

ACT MARCH 3, 1883, c. 143. (22 Stat. 603.)

Patents to officers of the Government for inventions to be used in the public service.

The Secretary of the Interior and the Commissioner of Patents are authorized to grant any officer of the government, except officers and employees of the Patent Office, a patent for any invention of the classes mentioned in section forty eight hundred and eighty six of the Revised Statutes, when such invention is used or to be used in the public service, without the payment of any fee: *Provided*, That the applicant in his application shall state that the invention described therein, if patented, may be used by the government or any of its officers or employees in the prosecution of work for the government, or by any other person in the United States, without the payment to him of any royalty thereon, which stipulation shall be included in the patent.

Act March 3, 1883, c. 143, 22 Stat. 625.

This is a paragraph of the sundry civil appropriation act for the fiscal year 1884, cited above.

ACT MARCH 3, 1897, c. 391. (29 Stat. 692.)

Representation of heads of departments requesting expediting of patents.

SEC. 7. That in every case where the head of any Department of the Government shall request the Commissioner of Patents to expedite the consideration of an application for a patent it shall be the duty of such head of a Department to be represented before the Commissioner in order to prevent the improper issue of a patent.

Act March 3, 1897, c. 391, s. 7, 29 Stat. 694.

ACT MARCH 18, 1904, c. 716. (33 Stat. 85.)

Restrictions on payment of expenses of horses, carriages, etc., for personal use of officers.

No part of any money appropriated by this or any other Act shall be available for paying expenses of horses and carriages or drivers therefor for the personal use of any officer provided for by this or any other Act other than the President of the United States, the heads

of Executive Departments, and the Secretary to the President: *Provided*, That this provision shall not apply to officials outside of the District of Columbia in the performance of their public duties. This paragraph shall not take effect until July first, nineteen hundred and four.

Act March 18, 1904, c. 716, s. 3, 33 Stat. 142.

This is a provision of the legislative, executive, and judicial appropriation act for the fiscal year 1905, cited above. A similar provision, applicable only to officers and employees of the executive departments at Washington, D. C., contained in the similar act for the fiscal year 1906, act February 3, 1905, c. 297, s. 4, is set forth below.

ACT FEBRUARY 3, 1905, c. 297. (33 Stat. 631.)

Restrictions on payment of expenses of carriages or vehicles for personal or official use; carriages or vehicles for official use to have thereon name of department, etc.

SEC. 4. No part of any money appropriated by this or any other Act shall be used for purchasing, maintaining, driving, or operating any carriage or vehicle (other than those for the use of the President of the United States, the heads of the Executive Departments, and the Secretary to the President, and other than those used for transportation of property belonging to or in the custody of the United States), for the personal or official use of any officer or employee of any of the Executive Departments or other Government establishments at Washington, District of Columbia, unless the same shall be specifically authorized by law or provided for in terms by appropriation of money, and all such carriages and vehicles so procured and used for official purposes shall have conspicuously painted thereon at all times the full name of the Executive Department or other branch of the public service to which the same belong and in the service of which the same are used.

Act February 3, 1905, c. 297, s. 4, 33 Stat. 687.

This section is a portion of the legislative, executive, and judicial appropriation act for the fiscal year 1906, cited above. A previous similar provision, contained in the similar act for the preceding fiscal year, act March 18, 1904, c. 716, s. 3, is set forth above.

ACT AUGUST 23, 1912, c. 350. (37 Stat. 360.)

Restrictions on payment for telephone service from private residences, etc.

SEC. 7. That no money appropriated by this or any other Act shall be expended for telephone service installed in any private residence or private apartment or for tolls or other charges for telephone service from private residences or private apartments, except for long-distance telephone tolls required strictly for the public business, and so shown by vouchers duly sworn to and approved by the head of the department, division, bureau, or office in which the official using such telephone or incurring the expense of such tolls shall be employed.

Act August 23, 1912, c. 350, s. 7, 37 Stat. 414.

This section is a portion of the legislative, executive, and judicial appropriation act for the fiscal year 1913, cited above.

ACT JANUARY 12, 1895, c. 23. (28 Stat. 601.)

Data for Official Register.

To enable the officer charged with the duty of preparing the Official Register of the United States to publish the same, the Secretary of

the Senate, the Clerk of the House of Representatives, the head of each Executive Department of the Government, and the chief of each and every bureau, office, commission, or institution not embraced in an Executive Department, in connection with which salaries are paid from the Treasury of the United States, shall, on the first day of July in each year in which a new Congress is to assemble, cause to be filed with the Secretary of the Interior a full and complete list of all officers, agents, clerks, and other employees of said Department, bureau, office, commission, or institution connected with the legislative, executive, or judicial service of the Government, or paid from the United States Treasury, * * *

Said lists shall exhibit the salary, compensation, and emoluments allowed to each of said officers, agents, clerks, and other employees, the State or country in which he was born, the State or Territory and Congressional district and county of which he is a resident and from which he was appointed to office, and where employed.

Act January 12, 1895, c. 23, s. 73, 28 Stat. 618.

These are provisions of "An act providing for the public printing and binding and the distribution of public documents," cited above.

The above provision, and a further provision of this section, set forth on p. 374, *post*, under "Public Documents," imposing the duty of editing, indexing, and publishing the Official Register, upon the Secretary of the Interior, are repealed, and the data to be included therein are required to be transmitted to the Director of the Census, by a provision of act June 7, 1906, c. 3048, set forth below.

ACT JUNE 7, 1906, c. 3048. (34 Stat. 218.)

Data for Official Register to be transmitted to Director of Census.

And the Director of the Census shall edit, index, and publish the Official Register of the United States, and the provisions of existing law imposing that duty upon the Department of the Interior are hereby repealed, and the data to be included in the Official Register, which is now required to be transmitted to the Secretary of the Interior, shall hereafter be transmitted to the Director of the Census.

Act June 7, 1906, c. 3048, 34 Stat. 219.

REV. ST. SEC. 94.

Heads of departments specially privileged to use Library.

SEC. 94. The Joint Committee on the Library is authorized to grant the privilege of using and drawing books from the Library, in the same manner and subject to the same regulations as members of Congress, to any of the following persons:

First. Heads of Departments. * * *

REV. ST. SEC. 4397.

Heads of executive departments to aid Commissioner of Fish and Fisheries.

SEC. 4397. The heads of the several Executive Departments shall cause to be rendered all necessary and practicable aid to the commissioner [of Fish and Fisheries] in the prosecution of his investigations and inquiries.

ACT APRIL 30, 1890, c. 173. (26 Stat. 78.)

Heads of executive departments to aid in acquisitions for Zoological Park.

SEC. 3. That the heads of executive departments of the Government are hereby authorized and directed to cause to be rendered all

necessary and practicable aid to the said regents in the acquisition of collections for the Zoological Park.

Act April 30, 1890, c. 173, s. 3, 26 Stat. 78.

ACT MARCH 3, 1901, c. 831. (31 Stat. 1010.)

Facilities for study and research in the Government departments, to investigators, students, etc.

* * * That facilities for study and research in the Government Departments, the Library of Congress, the National Museum, the Zoological Park, the Bureau of Ethnology, the Fish Commission, the Botanic Gardens, and similar institutions hereafter established shall be afforded to scientific investigators and to duly qualified individuals, students, and graduates of institutions of learning in the several States and Territories, as well as in the District of Columbia, under such rules and restrictions as the heads of the Departments and Bureaus mentioned may prescribe.

Act March 3, 1901, c. 831, 31 Stat. 1039.

ACT JULY 2, 1909, c. 2. (36 Stat. 1.)

Information from departments pertinent to census work.

SEC. 30. That the Secretary of Commerce and Labor, whenever he may deem it advisable, or on request of the Director of the Census, is hereby authorized to call upon any other department or office of the Government for information pertinent to the work herein provided for.

Act July 2, 1909, c. 2, s. 30, 36 Stat. 10.

The work referred to in this provision as "herein provided for" is the taking of the Thirteenth Census.

ESTIMATES AND REPORTS.

REV. ST. SEC. 3660.

Manner of communicating estimates.

SEC. 3660. The heads of Departments, in communicating estimates of expenditures and appropriations to Congress, or to any of the committees thereof, shall specify, as nearly as may be convenient, the sources from which such estimates are derived, and the calculations upon which they are founded, and shall discriminate between such estimates as are conjectural in their character and such as are framed upon actual information and applications from disbursing officers. They shall also give references to any law or treaty by which the proposed expenditures are, respectively, authorized, specifying the date of each, and the volume and page of the Statutes at Large, or of the Revised Statutes, as the case may be, and the section of the act in which the authority is to be found.

REV. ST. SEC. 3669.

Estimates to be submitted to Congress.

SEC. 3669. All annual estimates for the public service shall be submitted to Congress through the Secretary of the Treasury, and shall be included in the book of estimates prepared under his direction.

ACT MARCH 3, 1875, c. 129. (18 Stat. 343.)

Time for furnishing estimates to Secretary of Treasury; extracts from annual reports to be included in estimates.

SEC. 3. That it shall be the duty of the heads of the several Executive Departments, and of other officers authorized or required to make

estimates, to furnish to the Secretary of the Treasury, on or before the first day of October of each year, their annual estimates for the public service, to be included in the Book of Estimates prepared by law under his direction; and the Secretary of the Treasury shall submit, as a part of the appendix to the Book of Estimates, such extracts from the annual reports of the several heads of Departments and Bureaus as relate to estimates for appropriations, and the necessities therefor.

Act March 3, 1875, c. 129, s. 3, 18 Stat. 370.

This section is a part of the legislative, executive, and judicial appropriation act for the fiscal year 1876, cited above.

The time for submitting the departmental estimates is changed to October 15, and the Secretary of the Treasury is required to prepare the estimates in case the heads of departments fail to do so, by act March 3, 1901, c. 830, s. 5, set forth below.

ACT MARCH 3, 1901, c. 830. (31 Stat. 960.)

Time for furnishing estimates to Secretary of Treasury.

SEC. 5. That hereafter it shall be the duty of the heads of the several Executive Departments, and of other officers authorized or required to make estimates, to furnish to the Secretary of the Treasury, on or before the fifteenth day of October of each year, their annual estimates for the public service, to be included in the Book of Estimates to be prepared by law under his direction, and in case of failure to furnish estimates as herein required it shall be the duty of the Secretary of the Treasury to cause to be prepared in the Treasury Department, on or before the first day of November of each year, estimates for such appropriations as in his judgment shall be requisite in every such case, which estimates shall be included in the Book of Estimates prepared by law under his direction for the consideration of Congress.

Act March 3, 1901, c. 830, s. 5, 31 Stat. 1009.

This section is a part of the legislative, executive, and judicial appropriation act for the fiscal year 1902, cited above.

ACT JULY 7, 1884, c. 334. (23 Stat. 236.)

Estimates of appropriations and deficiencies.

And hereafter all estimates of appropriations and estimates of deficiencies in appropriations intended for the consideration and seeking the action of any of the committees of Congress shall be transmitted to Congress through the Secretary of the Treasury, and in no other manner; * * *

Act July 7, 1884, c. 334, s. 2, 23 Stat. 254.

This is a provision of the deficiency appropriation act for the fiscal year 1884, cited above.

ACT JUNE 22, 1906, c. 3514. (34 Stat. 389.)

Estimates to follow order and arrangement of appropriation acts for year preceding; all estimates to be included in Book of Estimates; restriction on special or additional estimates.

SEC. 4. Hereafter the estimates for expenses of the Government, except those for sundry civil expenses, shall be prepared and submitted each year according to the order and arrangement of the appropriation Acts for the year preceding. And any changes in such order and arrangement, and transfers of salaries from one office or bureau to another office or bureau, or the consolidation of offices or bureaus

desired by the head of any Executive Department may be submitted by note in the estimates. The committees of Congress in reporting general appropriation bills shall, as far as may be practicable, follow the general order and arrangement of the respective appropriation Acts for the year preceding.

Hereafter the heads of the several Executive Departments and all other officers authorized or required to make estimates for the public service shall include in their annual estimates furnished the Secretary of the Treasury for inclusion in the Book of Estimates all estimates of appropriations required for the service of the fiscal year for which they are prepared and submitted, and special or additional estimates for that fiscal year shall only be submitted to carry out laws subsequently enacted, or when deemed imperatively necessary for the public service by the Department in which they shall originate, in which case such special or additional estimate shall be accompanied by a full statement of its imperative necessity and reasons for its omission in the annual estimates.

Act June 22, 1906, c. 3514, s. 4, 34 Stat. 448.

This section is a part of the legislative, executive, and judicial appropriation act for the fiscal year 1907, cited above.

ACT MARCH 4, 1909, c. 297. (35 Stat. 845.)

Estimates not conforming to requirements to be rearranged.

SEC. 4. When estimates hereafter transmitted to the Treasury for submission to Congress do not in form and arrangement comply with the provisions of section four of the legislative, executive, and judicial appropriation Act, approved June twenty-second, nineteen hundred and six, they shall, under direction of the Secretary of the Treasury, be rearranged so as to comply with said requirements of law.

Act March 4, 1909, c. 297, s. 4, 35 Stat. 907.

Act June 22, 1906, c. 3514, s. 4, referred to in this section, is set forth above.

This section is a part of the legislative, executive, and judicial appropriation act for the fiscal year 1910, cited above.

ACT AUGUST 23, 1912, c. 350. (37 Stat. 360.)

Estimates to be prepared and submitted only in form and at time required.

SEC. 9. That until otherwise provided by law, the regular annual estimates of appropriations for expenses of the Government of the United States shall be prepared and submitted to Congress, by those charged with the duty of such preparation and submission, only in the form and at the time now required by law, and in no other form and at no other time.

Act August 23, 1912, c. 350, s. 9, 37 Stat. 415.

This section is a part of the legislative, executive, and judicial appropriation act for the fiscal year 1913, cited above.

REV. ST. SEC. 3662.

Estimates of salaries.

SEC. 3662. All estimates for the compensation of officers authorized by law to be employed shall be founded upon the express provisions of law, and not upon the authority of executive distribution.

ACT JULY 11, 1890, c. 667. (26 Stat. 228.)

Reports in estimates of number and salaries of inefficient employees.

* * * That hereafter it shall be the duty of the heads of the several executive Departments of the Government to report to congress each year in the annual estimates the number of employees in each bureau and office and the salaries of each who are below a fair standard of efficiency.

Act July 11, 1890, c. 667, s. 2, 26 Stat. 268.

This is a proviso of the legislative, executive, and judicial appropriation act for the fiscal year 1891, cited above.

ACT MARCH 2, 1895, c. 177. (28 Stat. 764.)

Statements in estimates of condition of business in departments.

SEC. 7. It shall be the duty of the head of each Executive Department or other Government establishment in the city of Washington to submit to the first regular session of the Fifty-fourth Congress, and annually thereafter, in the Annual Book of Estimates, a statement as to the condition of business in his Department or other Government establishment, showing whether any part of the same is in arrears, and, if so, in what divisions of the respective bureaus and offices of his Department or other Government establishment such arrears exist, the extent thereof, and the reasons therefor, and also a statement of the number and compensation of employees appropriated for in one bureau or office who have been detailed to another bureau or office for a period exceeding one year.

Act March 2, 1895, c. 177, s. 7, 28 Stat. 808.

This section is a part of the legislative, executive, and judicial appropriation act for the fiscal year 1896, cited above.

ACT AUGUST 24, 1912, c. 355. (37 Stat. 417.)

Statements in estimates of number and compensation of employees under lump-sum appropriations.

SEC. 6. Hereafter there shall be submitted, in the annual Book of Estimates, following every estimate for a general or lump sum appropriation which exceeds \$250,000 in amount, a statement showing in parallel columns:

First, the number of persons, if any, intended to be employed and the rates of compensation to each, and the amounts contemplated to be expended for each of any other objects or classes of expenditures specified or contemplated in the estimate; and

Second, the number of persons, if any, employed and the rates of compensation paid each, and the amounts expended for each other object or class of expenditures out of the appropriation corresponding to the estimate so submitted, during the completed fiscal year next preceding the period for which the estimate is submitted.

Act August 24, 1912, c. 355, s. 6, 37 Stat. 487.

This section is a part of the sundry civil appropriation act for the fiscal year 1913, cited above.

REV. ST. SEC. 3663.

Requisites for estimates for appropriations for public works.

SEC. 3663. Whenever any estimate submitted to Congress by the head of a Department asks an appropriation for any new specific

expenditure, such as the erection of a public building, or the construction of any public work, requiring a plan before the building or work can be properly completed, such estimate shall be accompanied by full plans and detailed estimates of the cost of the whole work. All subsequent estimates for any such work shall state the original estimated cost, the aggregate amount theretofore appropriated for the same, and the amount actually expended thereupon, as well as the amount asked for the current year for which such estimate is made. And if the amount asked is in excess of the original estimate, the full reasons for the excess, and the extent of the anticipated excess, shall be also stated.

ACT MARCH 3, 1883, c. 128. (22 Stat. 531.)

Statements in estimates of buildings rented, etc.

* * * it shall be the duty of the heads of the several executive departments to submit to Congress each year, in the annual estimates of appropriations, a statement of the number of buildings rented by their respective departments, the purposes for which rented, and the annual rental of each.

Act March 3, 1883, c. 128, s. 1, 22 Stat. 552.

This is a provision following an appropriation for rent of buildings for the War Department, in the legislative, executive, and judicial appropriation act for the fiscal year 1884, cited above.

ACT JULY 16, 1892, c. 196. (27 Stat. 183.)

Statement in estimates of buildings rented within District of Columbia.

That hereafter it shall be the duty of the Secretary of the Treasury to cause to be prepared and submitted to Congress each year, in the annual Book of Estimates of Appropriations, a statement of the buildings rented within the District of Columbia for the use of the Government, the purposes for which rented, and the annual rental of each.

Act July 16, 1892, c. 196, s. 1, 27 Stat. 199.

This is a provision of the legislative, executive, and judicial appropriation act for the fiscal year 1893, cited above.

REV. ST. SEC. 3664.

Estimates to be accompanied by explanations of new or unusual items.

SEC. 3664. Whenever the head of a Department, being about to submit to Congress the annual estimates of expenditures required for the coming year, finds that the usual items of such estimates vary materially in amount from the appropriation ordinarily asked for the object named, and especially from the appropriation granted for the same objects for the preceding year, and whenever new items not theretofore usual are introduced into such estimates for any year, he shall accompany the estimates by minute and full explanations of all such variations and new items, showing the reasons and grounds upon which the amounts are required, and the different items added.

REV. ST. SEC. 3665.

Amount of outstanding appropriations to be designated.

SEC. 3665. The head of each Department, in submitting to Congress his estimates of expenditures required in his Department dur-

ing the year then approaching, shall designate not only the amount required to be appropriated for the next fiscal year, but also the amount of the outstanding appropriation, if there be any, which will probably be required for each particular item of expenditure.

REV. ST. SEC. 3661.

Estimates for printing and binding.

SEC. 3661. The head of each of the Executive Departments, and every other public officer who is authorized to have printing and binding done at the Congressional Printing-Office for the use of his Department or public office, shall include in his annual estimate for appropriations for the next fiscal year such sum or sums as may to him seem necessary "for printing and binding, to be executed under the direction of the Congressional Printer."

ACT JUNE 30, 1906, c. 3914. (34 Stat. 697.)

Estimates for all printing and binding to be submitted in annual estimates; only appropriations for printing and binding to be used therefor; provisions not to apply to stamped envelopes, stationery, etc.

SEC. 2. Hereafter there shall be submitted in the regular annual estimates to Congress under and as a part of the expenses for "Printing and binding," estimates for all printing and binding required by each of the Executive Departments, their bureaus and offices, and other Government establishments at Washington, District of Columbia, for each fiscal year; and after the fiscal year nineteen hundred and seven no appropriations other than those made specifically and solely for printing and binding shall be used for such purposes in any Executive Department or other Government establishment in the District of Columbia: *Provided*, That nothing in this section shall apply to stamped envelopes, or envelopes and articles of stationery other than letter heads and note heads, printed in the course of manufacture.

Act June 30, 1906, c. 3914, s. 2, 34 Stat. 762.

This section is a part of the sundry civil appropriation act for the fiscal year 1907, cited above.

ACT MARCH 2, 1895, c. 189. (28 Stat. 910.)

Public Printer to notify departments of estimates submitted for printing and binding.

And it shall be the duty of the Public Printer to submit to Congress at the beginning of its next regular session, estimates in detail under the head of Printing and binding for the service of the fiscal year eighteen hundred and ninety-seven and annually thereafter, covering appropriations requisite for all work to be done and services to be rendered under his direction by the provisions of the said Act and not previously required of him; and of the details of all such estimates, he shall notify the heads of the Executive Departments and other Government establishments affected thereby, within such time as will enable them to omit the amounts thereof from the estimates of appropriations which they are required to submit for the fiscal year eighteen hundred and ninety-seven.

Act March 2, 1895, c. 189, s. 2, 28 Stat. 961.

These are provisions of the sundry civil appropriation act for the fiscal year 1896, cited above.

REV. ST. SEC. 3672.

Statement of proceeds of sales of old material, etc., to accompany book of estimates.

SEC. 3672. A detailed statement of the proceeds of all sales of old material, condemned stores, supplies, or other public property of any kind except materials, stores, or supplies sold * * * to exploring or surveying expeditions authorized by law shall be included in the appendix to the book of estimates.

Rev. St. sec. 3672, as amended by act February 27, 1877, c. 69, 19 Stat. 249.

ACT JUNE 30, 1906, c. 3914. (34 Stat. 697.)

Statements of money from proceeds of public property or other sources, and of payments therefrom.

SEC. 5. Hereafter the Secretary of the Treasury shall require, and it shall be the duty of the head of each Executive Department or other Government establishment to furnish him, within thirty days after the close of each fiscal year, a statement of all money arising from proceeds of public property of any kind or from any source other than the postal service, received by said head of Department or other Government establishment during the previous fiscal year for or on account of the public service, or in any other manner in the discharge of his official duties other than as salary or compensation, which was not paid into the General Treasury of the United States, together with a detailed account of all payments, if any, made from such funds during such year. All such statements, together with a similar statement applying to the Treasury Department, shall be transmitted by the Secretary of the Treasury to Congress at the beginning of each regular session.

Act June 30, 1906, c. 3914, s. 5, 34 Stat. 763.

This section is a part of the sundry civil appropriation act for the fiscal year 1907, cited above.

ACT JUNE 25, 1910, c. 384. (36 Stat. 703.)

Statement of proceeds of sales of old material, etc., to be submitted separate from book of estimates.

SEC. 6. Hereafter the statement of the proceeds of all sales of old material, condemned stores, supplies, or other public property of any kind shall be submitted to Congress at the beginning of each regular session thereof as a separate communication and shall not hereafter be included in the annual Book of Estimates.

Act June 25, 1910, c. 384, s. 6, 36 Stat. 773.

This section is part of the sundry civil appropriation act for the fiscal year 1911, cited above.

ACT MAY 22, 1908, c. 186. (35 Stat. 184.)

Statement of traveling expenses of officers and employees at Washington.

SEC. 4. It shall be the duty of the head of each Executive Department and other Government establishment at Washington to submit to Congress at the beginning of each regular session a statement showing in detail what officers or employees (other than special agents, inspectors, or employees, who in the discharge of their regular duties are required to constantly travel) of such Executive De-

partment or other Government establishment have traveled on official business from Washington to points outside of the District of Columbia during the preceding fiscal year, giving in each case the full title of the official or employee, the destination or destinations of such travel, the business or work on account of which the same was made, and the total expense to the United States charged in each case.

Act May 22, 1908, c. 186, s. 4, 35 Stat. 244.

This section is a part of the legislative, executive, and judicial appropriation act for the fiscal year 1909, cited above.

REV. ST. SEC. 193.

Annual report of expenditures for contingent expenses.

SEC. 193. The head of each Department shall make an annual report to Congress, giving a detailed statement of the manner in which the contingent fund for his Department, and for the Bureaus and offices therein, has been expended, giving the names of every person to whom any portion thereof has been paid; and if for anything furnished, the quantity and price; and if for any service rendered, the nature of such service, and the time employed, and the particular occasion or cause, in brief, that rendered such service necessary; and the amount of all former appropriations in each case on hand, either in the Treasury or in the hands of any disbursing officer or agent. And he shall require of the disbursing officers, acting under his direction and authority, the return of precise and analytical statements and receipts for all the moneys which may have been from time to time during the next preceding year expended by them, and shall communicate the results of such returns and the sums total, annually, to Congress.

ACT MARCH 3, 1877, c. 102. (19 Stat. 294.)

Report of expenditure for contingent expenses.

And hereafter a detailed statement of the expenditure for the preceding fiscal year of all sums appropriated for contingent expenses of the Independent Treasury, or in any department or bureau of the Government shall be presented to Congress at the beginning of each regular session.

Act March 3, 1877, c. 102, s. 1, 19 Stat. 306.

This is a provision of the legislative, executive, and judicial appropriation act for the fiscal year 1878, cited above.

REV. ST. SEC. 195.

Time of making annual reports.

SEC. 195. Except where a different time is expressly prescribed by law, the various annual reports required to be submitted to Congress by the heads of Departments shall be made at the commencement of each regular session, and shall embrace the transactions of the preceding year.

REV. ST. SEC. 196.

Time of furnishing annual reports to printer.

SEC. 196. The head of each Department, * * * shall furnish to the Congressional Printer copies of the documents usually accom-

panying his annual report, on or before the first day of November in each year, and a copy of his annual report on or before the third Monday of November in each year.

REV. ST. SEC. 1776.

Account of cost of removal of offices.

SEC. 1776. Whenever any public office is removed by reason of sickness which may prevail in the town or city where it is located, a particular account of the cost of such removal shall be laid before Congress.

APPROPRIATIONS.

REV. ST. SEC. 3678.

Application of moneys appropriated.

SEC. 3678. All sums appropriated for the various branches of expenditure in the public service shall be applied solely to the objects for which they are respectively made, and for no others.

ACT JULY 1, 1902, c. 1351. (32 Stat. 552.)

No act to be construed to make an appropriation unless it so declares in specific terms.

Hereafter no Act of Congress shall be construed to make an appropriation out of the Treasury of the United States unless such Act shall, in specific terms, declare an appropriation to be made for the purpose or purposes specified in the Act.

Act July 1, 1902, c. 1351, 32 Stat. 560.

This is a provision of the deficiency appropriation act for the fiscal year 1902, cited above.

A similar provision, applicable also to execution of contracts involving payment of money in excess of appropriations, contained in act June 30, 1906, c. 3914, is set forth on p. 325, *post*, under "Contracts."

REV. ST. SEC. 3679.

Expenditures in excess of appropriations forbidden; acceptance of voluntary service for Government or employment of personal service in excess of that authorized, forbidden; appropriations for contingent expenses or other general purposes to be apportioned in monthly or other allotments; violation of section punishable.

SEC. 3679. No Executive Department or other Government establishment of the United States shall expend, in any one fiscal year, any sum in excess of appropriations made by Congress for that fiscal year, or involve the Government in any contract or other obligation for the future payment of money in excess of such appropriations unless such contract or obligation is authorized by law. Nor shall any Department or any officer of the Government accept voluntary service for the Government or employ personal service in excess of that authorized by law, except in cases of sudden emergency involving the loss of human life or the destruction of property. All appropriations made for contingent expenses or other general purposes, except appropriations made in fulfillment of contract obligations expressly authorized by law, or for objects required or authorized by law without reference to the amounts annually appropriated therefor, shall, on or before the beginning of each fiscal year, be so apportioned by monthly or other allotments as to prevent expendi-

tures in one portion of the year which may necessitate deficiency or additional appropriations to complete the service of the fiscal year for which said appropriations are made; and all such apportionments shall be adhered to and shall not be waived or modified except upon the happening of some extraordinary emergency or unusual circumstance which could not be anticipated at the time of making such apportionment, but this provision shall not apply to the contingent appropriations of the Senate or House of Representatives; and in case said apportionments are waived or modified as herein provided, the same shall be waived or modified in writing by the head of such Executive Department or other Government establishment having control of the expenditure, and the reasons therefor shall be fully set forth in each particular case and communicated to Congress in connection with estimates for any additional appropriations required on account thereof. Any person violating any provision of this section shall be summarily removed from office and may also be punished by a fine of not less than one hundred dollars or by imprisonment for not less than one month.

Rev. St. sec. 3679, as amended by act March 3, 1905, c. 1481, s. 4, 33 Stat. 1257, and act February 27, 1906, c. 510, s. 4, 34 Stat. 48.

A similar provision relating to the acceptance of voluntary service, contained in act May 1, 1884, c. 37, is set forth on p. 279, *ante*, under "Officers, Clerks, and Employees."

ACT AUGUST 23, 1912, c. 350. (37 Stat. 360.)

Maximum amounts to be expended from contingent funds appropriated, to be apportioned; purchases which can be made from contingent funds not to be made from any other fund.

SEC. 6. That in addition to the apportionment required by the so-called antideficiency Act, approved February twenty-seventh, nineteen hundred and six (Statutes at Large, volume thirty-four, page forty-nine), the head of each executive department shall, on or before the beginning of each fiscal year, apportion to each office or bureau of his department the maximum amount to be expended therefor during the fiscal year out of the contingent fund or funds appropriated for the entire year for the department, and the amounts so apportioned shall not be increased or diminished during the year for which made except upon the written direction of the head of the department, in which there shall be fully expressed his reasons therefor; and hereafter there shall not be purchased out of any other fund any article for use in any office or bureau of any executive department in Washington, District of Columbia, which could be purchased out of the appropriations made for the regular contingent funds of such department or of its offices or bureaus.

Act August 23, 1912, c. 350, s. 6, 37 Stat. 414.

This section is a part of the legislative, executive, and judicial appropriation act for the fiscal year 1913, cited above.

The apportionment required by act February 27, 1906, c. 510, s. 4, is set forth above.

ACT AUGUST 24, 1912, c. 355. (37 Stat. 417.)

No specific or indefinite appropriation to be construed as permanent unless in terms expressly so providing.

SEC. 7. No specific or indefinite appropriation made hereafter in any regular annual appropriation Act shall be construed to be per-

manent or available continuously without reference to a fiscal year unless it belongs to one of the following five classes: "Rivers and harbors," "lighthouses," "fortifications," "public buildings," and "pay of the Navy and Marine Corps," last specifically named in and excepted from the operation of the provisions of the so-called "covering-in Act" approved June twentieth, eighteen hundred and seventy-four, or unless it is made in terms expressly providing that it shall continue available beyond the fiscal year for which the appropriation Act in which it is contained makes provision.

Act August 24, 1912, c. 355, s. 7, 37 Stat. 487.

This section is a portion of the sundry civil appropriation act for the fiscal year 1913, cited above.

ACT MAY 28, 1896, c. 252. (29 Stat. 140.)

Footings of paragraphs to determine amount appropriated.

That hereafter the total amount appropriated in the various paragraphs of an appropriation Act shall be determined by the correct footing up of the specific sums or rates appropriated in each paragraph contained therein unless otherwise expressly provided.

Act May 28, 1896, c. 252, s. 1, 29 Stat. 148.

This is a paragraph of the legislative, executive, and judicial appropriation act for the fiscal year 1897, cited above.

REV. ST. SEC. 3681.

Expenses of commissions and inquiries.

SEC. 3681. No accounting or disbursing officer of the Government shall allow or pay any account or charge whatever, growing out of, or in any way connected with, any commission or inquiry, * * * until special appropriations shall have been made by law to pay such accounts and charges. * * *

ACT MARCH 4, 1909, c. 299. (35 Stat. 945.)

Use of moneys or appropriations for compensation or expenses of any commission, etc., forbidden, unless authorized by law; details from executive departments in connection with such commissions, etc., forbidden.

SEC. 9. That hereafter no part of the public moneys, or of any appropriation heretofore or hereafter made by Congress, shall be used for the payment of compensation or expenses of any commission, council, board, or other similar body, or any members thereof, or for expenses in connection with any work or the results of any work or action of any commission, council, board, or other similar body, unless the creation of the same shall be or shall have been authorized by law; nor shall there be employed by detail, hereafter or heretofore made, or otherwise personal services from any executive department or other government establishment in connection with any such commission, council, board, or other similar body.

Act March 4, 1909, c. 299, s. 9, 35 Stat. 1027.

This section is a part of the sundry civil appropriation act for the fiscal year 1910, cited above.

REV. ST. SEC. 3682.

Restrictions on contingent, etc., appropriations.

SEC. 3682. No moneys appropriated for contingent, incidental, or miscellaneous purposes shall be expended or paid for official or clerical compensation.

REV. ST. SEC. 3683.

Restrictions on purchases from contingent funds.

SEC. 3683. No part of the contingent fund appropriated to any Department, Bureau, or office, shall be applied to the purchase of any articles except such as the head of the Department shall deem necessary and proper to carry on the business of the Department, Bureau, or office, and shall, by written order, direct to be procured.

ACT MARCH 15, 1898, c. 68. (30 Stat. 277.)

Restrictions on purchases of law books, etc., from appropriations for contingent expenses, etc.

SEC. 3. That hereafter law books, books of reference, and periodicals for use of any Executive Department, or other Government establishment not under an Executive Department, at the seat of Government, shall not be purchased or paid for from any appropriation made for contingent expenses or for any specific or general purpose unless such purchase is authorized and payment therefor specifically provided in the law granting the appropriation.

Act March 15, 1898, c. 68, s. 3, 30 Stat. 316.

This section is a part of the legislative, executive, and judicial appropriation act for the fiscal year 1899, cited above.

REV. ST. SEC. 3690.

Expenditure of balances of appropriations.

SEC. 3690. All balances of appropriations contained in the annual appropriation bills and made specifically for the service of any fiscal year, and remaining unexpended at the expiration of such fiscal year, shall only be applied to the payment of expenses properly incurred during that year, or to the fulfillment of contracts properly made within that year; and balances not needed for such purposes shall be carried to the surplus fund. This section, however, shall not apply to appropriations known as permanent or indefinite appropriations.

ACT JUNE 23, 1874, c. 476. (18 Stat. 275.)

Appropriations for public buildings available until completion of work.

* * * That all moneys heretofore appropriated for the construction of public buildings and now remaining to the credit of the same on the books of the Treasury Department, or which may hereafter be appropriated for such buildings, shall remain available until the completion of the work for which they are, or may be, appropriated; and upon the final completion of each or any of said buildings, and the payment of all outstanding liabilities therefor, the balance or balances remaining shall be immediately covered into the Treasury.

Act June 23, 1874, c. 476, s. 1, 18 Stat. 275.

REV. ST. SEC. 3691.

Disposal of balances of appropriations after two years.

SEC. 3691. All balances of appropriations which shall have remained on the books of the Treasury, without being drawn against in the settlement of accounts, for two years from the date of the last appropriation made by law, shall be reported by the Secretary of

the Treasury to the Auditor of the Treasury, whose duty it is to settle accounts thereunder, and the Auditor shall examine the books of his Office, and certify to the Secretary whether such balances will be required in the settlement of any accounts pending in his office; and if it appears that such balances will not be required for this purpose, then the Secretary may include such balances in his surplus-fund warrant, whether the head of the proper Department shall have certified that it may be carried into the general Treasury or not.
* * *

ACT JUNE 20, 1874, c. 328. (18 Stat. 85.)

Unexpended balances of appropriations to be carried to surplus fund; exceptions.

SEC. 5. That from and after the first day of July, eighteen hundred and seventy-four, and of each year thereafter, the Secretary of the Treasury shall cause all unexpended balances of appropriations which shall have remained upon the books of the Treasury for two fiscal years to be carried to the surplus fund and covered into the Treasury: *Provided*, That this provision shall not apply to permanent specific appropriations, appropriations for * * * public buildings, * * * but the appropriations named in this proviso shall continue available until otherwise ordered by Congress, * * *

Act June 20, 1874, c. 328, s. 5, 18 Stat. 110.

This section is part of the legislative, executive, and judicial appropriation act for the fiscal year 1875, cited above.

The final portion of this section omitted here is temporary or is repealed by act June 14, 1878, c. 191, s. 4, set forth below.

ACT JUNE 14, 1878, c. 191. (20 Stat. 115.)

Reports of balances needing to be appropriated abolished; examination of claims under appropriations exhausted or carried to surplus fund.

SEC. 4. That so much of section five of the act approved June twentieth, eighteen hundred and seventy-four, as directs the Secretary of the Treasury at the beginning of each session to report to Congress with his annual estimates any balances of appropriations for specific objects affected by said section that may need to be re-appropriated, be, and hereby is, repealed. And it shall be the duty of the several accounting officers of the Treasury to continue to receive, examine, and consider the justice and validity of all claims under appropriations the balances of which have been exhausted or carried to the surplus fund under the provisions of said section that may be brought before them within a period of five years. * * * *Provided*, That nothing in this act shall be construed to authorize the re-examination and payment of any claim or account which has been once examined and rejected, unless reopened in accordance with existing law.

Act June 14, 1878, c. 191, s. 4, 20 Stat. 130.

This section is a part of the deficiency appropriation act for the fiscal year 1878, cited above.

ACT MARCH 4, 1909, c. 299. (35 Stat. 945.)

Balances of appropriations remaining unexpended on July 1, 1904, to be carried to surplus fund.

SEC. 10. The Secretary of the Treasury shall cause all unexpended balances of appropriations which remained on the books of the Treasury on the first day of July, nineteen hundred and four, except

permanent specific appropriations, * * * to be carried to the surplus fund and covered into the Treasury: * * * For the purposes herein declared no appropriation made prior to July first, nineteen hundred and four, shall be construed to be a permanent specific appropriation unless by its language it is specifically and in express terms made available for use until expended.

Act March 4, 1909, c. 299, s. 10, 35 Stat. 1027.

This section is a part of the sundry civil appropriation act for the fiscal year 1910, cited above.

CONTRACTS.

REV. ST. SEC. 3709.

Advertisement for proposals for supplies and services in departments; acceptance or rejection of bids.

SEC. 3709. All purchases and contracts for supplies or services, in any of the Departments of the Government, except for personal services, shall be made by advertising a sufficient time previously for proposals respecting the same, when the public exigencies do not require the immediate delivery of the articles, or performance of the service. When immediate delivery or performance is required by the public exigency, the articles or service required may be procured by open purchase or contract, at the places and in the manner in which such articles are usually bought and sold, or such services engaged, between individuals. And the advertisement for such proposals shall be made by all the Executive Departments * * * on the same days and shall each designate two o'clock post meridian of such days for the opening of all such proposals in each Department and other Government establishment in the city of Washington; and the Secretary of the Treasury shall designate the day or days in each year for the opening of such proposals and give due notice thereof to the other Departments and Government establishments. Such proposals shall be opened in the usual way and schedules thereof duly prepared and, together with the statement of the proposed action of each Department and Government establishment thereon, shall be submitted to a board, consisting of one of the Assistant Secretaries of the Treasury and Interior Departments and one of the Assistant Postmasters-General, who shall be designated by the heads of said Departments and the Postmaster-General respectively, at a meeting to be called by the official of the Treasury Department, who shall be chairman thereof, and said board shall carefully examine and compare all the proposals so submitted and recommend the acceptance or rejection of any or all of said proposals. And if any or all of such proposals shall be rejected, advertisements for proposals shall again be invited and proceeded with in the same manner.

Rev. St. sec. 3709, as amended by act January 27, 1894, c. 22, 28 Stat. 33.

The provisions of this section as amended are so limited that they apply only to advertisements for proposals for fuel, ice, stationery, and other miscellaneous supplies purchased in Washington, by act April 21, 1894, c. 61, s. 2, set forth below.

The provisions of this section are not applicable to any purchase or service in the Department of Agriculture, when the aggregate amount does not exceed the sum of \$50, by act March 1, 1899, c. 325, s. 1, set forth on p. 20, *ante*.

This section is further amended by act June 17, 1910, c. 297, s. 4, set forth below which provides, among other things, that all supplies of fuel, ice, stationery, etc., for the departments in Washington, when the exigencies do not require immediate delivery, shall be advertised and contracted for by the Secretary of the Treasury, instead of the several departments; and for a general supply committee, in lieu of the board provided for in this section, composed of an officer from each of the departments.

ACT APRIL 21, 1894, c. 61. (28 Stat. 58.)

Requirements as to advertisements for proposals limited to fuel, ice, stationery, etc., at Washington.

SEC. 2. That the Act entitled "An Act to amend section thirty-seven hundred and nine of the Revised Statutes relating to contracts for supplies in the Departments at Washington," approved January twenty-seven, eighteen hundred and ninety-four, be, and the same is hereby, so amended that the provisions thereof shall apply only to advertisements for proposals for fuel, ice, stationery, and other miscellaneous supplies to be purchased at Washington for the use of the Executive Departments and other Government establishments therein named; and no advertisements made or contracts awarded or to be awarded thereon since January twenty-seven, eighteen hundred and ninety-four, in accordance with the laws in force prior to said date, shall be declared to be illegal or invalid for non-compliance with said law of January twenty-seventh, eighteen hundred and ninety-four.

Act April 21, 1894, c. 61, s. 2, 28 Stat. 62.

This section is a part of the urgent deficiency appropriation act for the fiscal year 1894, cited above.

Rev. St. sec. 3709, as amended by act January 27, 1894, c. 22, is set forth above.

ACT JUNE 17, 1910, c. 297. (36 Stat. 468.)

Advertisements and contracts for departments in Washington by Secretary of Treasury; general supply committee, its duties, etc.; articles to be purchased; bonds of contractors; purchase or drawing supplies by departments; telephone, electric light, and power service.

SEC. 4. That hereafter all supplies of fuel, ice, stationery, and other miscellaneous supplies for the executive departments and other government establishments in Washington, when the public exigencies do not require the immediate delivery of the article, shall be advertised and contracted for by the Secretary of the Treasury, instead of by the several departments and establishments, upon such days as he may designate. There shall be a general supply committee in lieu of the board provided for in section thirty-seven hundred and nine of the Revised Statutes as amended, composed of officers, one from each such department, designated by the head thereof, the duties of which committee shall be to make, under the direction of the said Secretary, an annual schedule of required miscellaneous supplies, to standardize such supplies, eliminating all unnecessary grades and varieties, and to aid said Secretary in soliciting bids based upon formulas and specifications drawn up by such experts in the service of the Government as the committee may see fit to call upon, who shall render whatever assistance they may require. The committee shall aid said Secretary in securing the proper fulfillment of the contracts for such supplies, for which purpose the said Secre-

tary shall prescribe, and all departments comply with, rules providing for such examination and tests of the articles received as may be necessary for such purpose; in making additions to the said schedule; in opening and considering the bids, and shall perform such other similar duties as he may assign to them: *Provided*, That the articles intended to be purchased in this manner are those in common use by or suitable to the ordinary needs of two or more such departments or establishments; but the said Secretary shall have discretion to amend the annual common supply schedule from time to time as to any articles that, in his judgment, can as well be thus purchased. In all cases only one bond for the proper performance of each contract shall be required, notwithstanding that supplies for more than one department or government establishment are included in such contract. Every purchase or drawing of such supplies from the contractor shall be immediately reported to said committee. No disbursing officer shall be a member of such committee. No department or establishment shall purchase or draw supplies from the common schedule through more than one office or bureau, except in case of detached bureaus or offices having field or outlying service, which may purchase directly from the contractor with the permission of the head of their department: *And provided further*, That telephone service, electric light, and power service purchased or contracted for from companies or individuals shall be so obtained by him.

Act June 17, 1910, c. 297, s. 4, 36 Stat. 531.

This section is a part of the legislative, executive, and judicial appropriation act for the fiscal year 1911, cited above.

Rev. St. sec. 3709, as amended by act January 27, 1894, c. 22, mentioned in this section, is set forth above.

REV. ST. SEC. 3710.

Opening bids.

SEC. 3710. Whenever proposals for supplies have been solicited, the parties responding to such solicitations shall be duly notified of the time and place of opening the bids, and be permitted to be present either in person or by attorney, and a record of each bid shall then and there be made.

REV. ST. SEC. 3711.

Inspection of fuel in District of Columbia; appointment of inspectors, etc.

SEC. 3711. It shall not be lawful for any officer or person in the civil, military, or naval service of the United States in the District of Columbia to purchase anthracite or bituminous coal or wood for the public service except on condition that the same shall, before delivery, be inspected and weighed or measured by some competent person, to be appointed by the head of the Department or chief of the branch of the service for which the purchase is made from among the persons authorized to be employed in such Department or branch of the service. The person appointed under this section shall ascertain that each ton of coal weighed by him shall consist of two thousand two hundred and forty pounds, and that each cord of wood to be so measured shall be of the standard measure of one hundred and twenty-eight cubic feet. Each load or parcel of wood or coal weighed and measured by him shall be accompanied by his certificate of the

number of tons or pounds of coal and the number of cords or parts of cords of wood in each load or parcel.

Rev. St. sec. 3711, as amended by act March 2, 1895, c. 177, s. 6, 28 Stat. 808, and act March 15, 1898, c. 68, s. 6, 30 Stat. 316.

REV. ST. SEC. 3712.

Appointments of fuel inspectors to be notified to accounting officer.

SEC. 3712. The proper accounting officer of the Treasury shall be furnished with a copy of the appointment of each inspector, weigher, and measurer appointed under the preceding section.

REV. ST. SEC. 3713.

No payment for fuel without inspector's certificate.

SEC. 3713. It shall not be lawful for any accounting officer to pass or allow to the credit of any disbursing officer in the District of Columbia any money paid by him for purchase of anthracite or bituminous coal or for wood, unless the voucher therefor is accompanied by a certificate of the proper inspector, weigher, and measurer that the quantity paid for has been determined by such officer.

REV. ST. SEC. 3732.

Unauthorized contracts prohibited.

SEC. 3732. No contract or purchase on behalf of the United States shall be made, unless the same is authorized by law or is under an appropriation adequate to its fulfillment, * * *

ACT MARCH 3, 1877, c. 106. (19 Stat. 363.)

Contracts for rent of buildings in District of Columbia not to be made until appropriation therefor.

* * * hereafter no contract shall be made for the rent of any building, or part of any building, to be used for the purposes of the Government in the District of Columbia, until an appropriation therefor shall have been made in terms by Congress, and that this clause be regarded as notice to all contractors or lessors of any such building or any part of building.

Act March 3, 1877, c. 106, 19 Stat. 370.

This is a provision of the deficiency appropriation act for the fiscal year 1877, cited above.

Other buildings in the District of Columbia may be rented instead of buildings already rented, by a provision of act August 5, 1882, c. 389, s. 1, set forth on p. 361, *post*, under "Public Buildings and Grounds."

Heads of departments are required to submit to Congress each year in the annual estimate statements of the buildings rented in the District of Columbia by their respective departments, by a provision of act March 3, 1883, c. 128, s. 1, set forth on p. 312, *ante*, under "Estimates and Reports."

The Secretary of the Treasury is required to submit to Congress each year in the Book of Estimates a statement of the buildings rented in the District of Columbia for the use of the Government, by act July 16, 1892, c. 196, s. 1, set forth on p. 312, *ante*, under "Estimates and Reports."

ACT JUNE 12, 1906, c. 3078. (34 Stat. 240.)

No contracts or purchases unless authorized or under adequate appropriation.

* * * That no contract or purchase on behalf of the United States shall be made, unless the same is authorized by law or is under an appropriation adequate to its fulfillment, * * *

Act June 12, 1906, c. 3078, 34 Stat. 255.

This is a proviso annexed to the Army appropriation act for the fiscal year 1907, cited above.

ACT JUNE 30, 1906, c. 3914. (34 Stat. 697.)

No act to be construed to make an appropriation or authorize execution of contract in excess of appropriation unless it so declares in specific terms.

SEC. 9. No Act of Congress hereafter passed shall be construed to make an appropriation out of the Treasury of the United States, or to authorize the execution of a contract involving the payment of money in excess of appropriations made by law, unless such Act shall in specific terms declare an appropriation to be made or that a contract may be executed.

Act June 30, 1906, c. 3914, s. 9, 34 Stat. 764.

This section is a part of the sundry civil appropriation act for the fiscal year 1907, cited above.

A subsequent similar provision relating to the construction of acts making appropriations, contained in act July 1, 1902, c. 1351, is set forth on p. 316, *ante*, under "Appropriations."

Expenditure in any fiscal year or involving the Government in any contract, etc., for future payment of money in excess of appropriations for that fiscal year, is prohibited, and punishment provided therefor, in Rev. St. sec. 3679, set forth on p. 316, *ante*, under "Appropriations."

REV. ST. SEC. 3733.

No contract for erection, etc., of public building, etc., to exceed appropriation.

SEC. 3733. No contract shall be entered into for the erection, repair, or furnishing of any public building, or for any public improvement which shall bind the Government to pay a larger sum of money than the amount in the Treasury appropriated for the specific purpose.

ACT MARCH 4, 1909, c. 321. (35 Stat. 1088.)

Officer contracting for erection, etc., of public building, etc., beyond appropriation; punishment.

SEC. 98. Whoever, being an officer of the United States, shall knowingly contract for the erection, repair, or furnishing of any public building, or for any public improvement, to pay a larger amount than the specific sum appropriated for such purpose, shall be fined not more than two thousand dollars and imprisoned not more than two years.

Act March 4, 1909, c. 321, s. 98, 35 Stat. 1106.

This is a section of "An act to codify, revise, and amend the penal laws of the United States," cited above, incorporating therein the provisions of Rev. St. sec. 5503, which section is expressly repealed by section 341 of this act.

REV. ST. SEC. 3734.

Contracts or payment for sites for public buildings not to be made in excess of appropriations; no expenditures to be made until sketch plans are approved; subsequent changes; limit of cost.

SEC. 3734. And hereafter no money shall be paid nor contracts made for payment for any site for a public building in excess of the amount specifically appropriated therefor; and no money shall be expended upon any public building until after sketch plans showing the tentative design and arrangement of such building, together with outline description and detailed estimates of the cost thereof shall have been made by the Supervising Architect of the Treasury Department (except when otherwise authorized by law) and said sketch plans and estimates shall have been approved by the Secretary of the Treasury and the head of each executive department who will have officials

located in such building; but such approval shall not prevent subsequent changes in the design, arrangement, materials, or methods of construction or cost which may be found necessary or advantageous: *Provided*, That no such changes shall be made involving an expense in excess of the limit of cost fixed or extended by Congress, and all appropriations made for the construction of such building shall be expended within the limit of cost so fixed or extended.

Rev. St. sec. 3734, as amended by act June 25, 1910, c. 383, s. 33, 36 Stat. 699.

This section, as amended, supersedes similar provisions of act March 3, 1875, c. 130, s. 1, 18 Stat. 395.

REV. ST. SEC. 3735.

Contracts for stationery, etc., limited to two years.

SEC. 3735. It shall not be lawful for any of the Executive Departments to make contracts for stationery or other supplies for a longer term than one year from the time the contract is made.

REV. ST. SEC. 3736.

Restriction on purchase of land.

SEC. 3736. No land shall be purchased on account of the United States, except under a law authorizing such purchase.

REV. ST. SEC. 3737.

Transferring contracts prohibited.

SEC. 3737. No contract or order, or any interest therein, shall be transferred by the party to whom such contract or order is given to any other party, and any such transfer shall cause the annulment of the contract or order transferred, so far as the United States are concerned. All rights of action, however, for any breach of such contract by the contracting parties, are reserved to the United States.

REV. ST. SEC. 3738.

Eight hours to be a day's work for laborers, workmen, and mechanics in employ of United States.

SEC. 3738. Eight hours shall constitute a day's work for all laborers, workmen, and mechanics who may be employed by or on behalf of the Government of the United States.

The number of hours of work of laborers and mechanics employed by the United States or a contractor or subcontractor is limited to eight hours in any one calendar day, and it is made unlawful to work more than eight hours, except in cases of emergency, by act August 1, 1892, c. 352, set forth below.

ACT AUGUST 1, 1892, c. 352. An act relating to the limitation of the hours of daily service of laborers and mechanics employed upon the public works of the United States and of the District of Columbia. (27 Stat. 340.)

Eight hours' labor in one day for laborers and mechanics on Government works.

That the service and employment of all laborers and mechanics who are now or may hereafter be employed by the Government of the United States, by the District of Columbia, or by any contractor or subcontractor upon any of the public works of the United States or of the said District of Columbia, is hereby limited and restricted to

eight hours in any one calendar day, and it shall be unlawful for any officer of the United States Government or of the District of Columbia or any such contractor or subcontractor whose duty it shall be to employ, direct, or control the services of such laborers or mechanics to require or permit any such laborer or mechanic to work more than eight hours in any calendar day except in case of extraordinary emergency.

Act August 1, 1892, c. 352, s. 1, 27 Stat. 340.

Violation of act by officer or contractor; punishment.

SEC. 2. That any officer or agent of the Government of the United States or of the District of Columbia, or any contractor or subcontractor whose duty it shall be to employ, direct, or control any laborer or mechanic employed upon any of the public works of the United States or of the District of Columbia who shall intentionally violate any provision of this act, shall be deemed guilty of a misdemeanor, and for each and every such offense shall upon conviction be punished by a fine not to exceed one thousand dollars or by imprisonment for not more than six months, or by both such fine and imprisonment, in the discretion of the court having jurisdiction thereof.

Act August 1, 1892, c. 352, s. 2, 27 Stat. 340.

Act June 19, 1912, c. 174, set forth below, provides that every contract for or on behalf of the United States which requires or involves the employment of laborers or mechanics, shall contain a provision that no such laborer or mechanic in the employ of the contractor or subcontractor shall be required or permitted to work more than eight hours in any one calendar day, and that every such contract shall stipulate a penalty of \$5 for each violation of such stipulation for each laborer or mechanic for every day in which he shall be required or permitted to work more than eight hours.

ACT JUNE 19, 1912, c. 174. An act limiting the hours of daily service of laborers and mechanics employed upon work done for the United States, or for any Territory, or the District of Columbia, and for other purposes. (37 Stat. 137.)

Contracts for work done for United States to contain provision that no laborer or mechanic be required or permitted to work more than eight hours in one day; stipulation for penalty for violation; inspector to report violations; appeal by contractor for penalty withheld.

That every contract hereafter made to which the United States, any Territory, or the District of Columbia is a party, and every such contract made for or on behalf of the United States, or any Territory, or said District, which may require or involve the employment of laborers or mechanics shall contain a provision that no laborer or mechanic doing any part of the work contemplated by the contract, in the employ of the contractor or any subcontractor contracting for any part of said work contemplated, shall be required or permitted to work more than eight hours in any one calendar day upon such work; and every such contract shall stipulate a penalty for each violation of such provision in such contract of five dollars for each laborer or mechanic for every calendar day in which he shall be required or permitted to labor more than eight hours upon said work; and any officer or person designated as inspector of the work to be performed under any such contract, or to aid in enforcing the fulfillment thereof, shall, upon observation or investigation, forth-

with report to the proper officer of the United States, or of any Territory, or of the District of Columbia, all violations of the provisions of this Act directed to be made in every such contract, together with the name of each laborer or mechanic who has been required or permitted to labor in violation of such stipulation and the day of such violation, and the amount of the penalties imposed according to the stipulation in any such contract shall be directed to be withheld for the use and benefit of the United States, the District of Columbia, or the Territory contracting by the officer or person whose duty it shall be to approve the payment of the moneys due under such contract, whether the violation of the provisions of such contract is by the contractor or any subcontractor. Any contractor or subcontractor aggrieved by the withholding of any penalty as hereinbefore provided shall have the right within six months thereafter to appeal to the head of the department making the contract on behalf of the United States or the Territory, and in the case of a contract made by the District of Columbia to the Commissioners thereof, who shall have power to review the action imposing the penalty, and in all such appeals from such final order whereby a contractor or subcontractor may be aggrieved by the imposition of the penalty hereinbefore provided such contractor or subcontractor may within six months after decision by such head of a department or the Commissioners of the District of Columbia file a claim in the Court of Claims, which shall have jurisdiction to hear and decide the matter in like manner as in other cases before said court.

Act not to apply to contracts for transportation, or the transmission of intelligence or purchase of supplies; penalties not to be imposed for violations due to extraordinary events or conditions or emergencies; act August 1, 1892, c. 352, not repealed or modified.

SEC. 2. That nothing in this Act shall apply to contracts for transportation by land or water, or for the transmission of intelligence, or for the purchase of supplies by the Government, whether manufactured to conform to particular specifications or not, or for such materials or articles as may usually be bought in open market, * * * whether made to conform to particular specifications * * * *Provided*, That all classes of work which have been, are now, or may hereafter be performed by the Government shall, when done by contract, by individuals, firms, or corporations for or on behalf of the United States or any of the Territories or the District of Columbia, be performed in accordance with the terms and provisions of section one of this Act. * * * No penalties shall be imposed for any violation of such provision in such contract due to any extraordinary events or conditions of manufacture, or to any emergency caused by fire, famine, or flood, by danger to life or to property, or by other extraordinary event or condition on account of which the President shall subsequently declare the violation to have been excusable. Nothing in this Act shall be construed to repeal or modify the Act entitled "An Act relating to the limitation of the hours of daily service of laborers and mechanics employed upon the public works of the United States and of the District of Columbia" being chapter three hundred and fifty-two of the laws of the Fifty-second Congress, approved August first, eighteen hundred and ninety-two, * * * or apply to contracts which have been or may be entered into under

the provisions of appropriation Acts approved prior to the passage of this Act.

Act June 19, 1912, c. 174, s. 2, 37 Stat. 138.

Act August 1, 1892, c. 352, mentioned in this act, is set forth above.

Time of taking effect of Act. •

SEC. 3. That this Act shall become effective and be in force on and after January first, nineteen hundred and thirteen.

Act June 19, 1912, c. 174, s. 3, 37 Stat. 138.

ACT MARCH 4, 1909, c. 321. (35 Stat. 1088.)

Persons interested in corporations, etc., not to act as officer or agent of United States in transaction of business with such corporations, etc.

SEC. 41. No officer or agent of any corporation, joint stock company, or association, and no member or agent of any firm, or person directly or indirectly interested in the pecuniary profits or contracts of such corporation, joint stock company, association, or firm, shall be employed or shall act as an officer or agent of the United States for the transaction of business with such corporation, joint stock company, association, or firm. Whoever shall violate the provision of this section shall be fined not more than two thousand dollars and imprisoned not more than two years.

Act March 4, 1909, c. 321, s. 41, 35 Stat. 1097.

This is a section of "An act to codify, revise, and amend the penal laws of the United States," cited above, incorporating therein the provisions of Rev. St. sec. 1783, which section is expressly repealed by section 341 of this act.

Member of Congress interested in public contracts; punishment; contracts void; repayment of consideration advanced by United States.

SEC. 114. Whoever, being elected or appointed a Member of or Delegate to Congress, or a Resident Commissioner, shall, after his election or appointment and either before or after he has qualified, and during his continuance in office, directly or indirectly, himself, or by any other person in trust for him, or for his use or benefit, or on his account, undertake, execute, hold, or enjoy, in whole or in part, any contract or agreement, made or entered into in behalf of the United States by any officer or person authorized to make contracts on its behalf, shall be fined not more than three thousand dollars. All contracts or agreements made in violation of this section shall be void; and whenever any sum of money is advanced by the United States, in consideration of any such contract or agreement, it shall forthwith be repaid; and in case of failure or refusal to repay the same when demanded by the proper officer of the department under whose authority such contract or agreement shall have been made or entered into, suit shall at once be brought against the person so failing or refusing and his sureties, for the recovery of the money so advanced.

Act March 4, 1909, c. 321, s. 114, 35 Stat. 1109.

This is a section of "An act to codify, revise, and amend the penal laws of the United States," cited above, incorporating therein the provisions of Rev. St. sec. 3739, which section is expressly repealed by section 341 of this act.

Making official contract with Member of Congress; punishment.

SEC. 115. Whoever, being an officer of the United States, shall on behalf of the United States, directly or indirectly make or enter

into any contract, bargain, or agreement, in writing or otherwise, with any Member of or Delegate to Congress, or any Resident Commissioner, after his election or appointment as such Member, Delegate, or Resident Commissioner, and either before or after he has qualified, and during his continuance in office, shall be fined not more than three thousand dollars.

Act March 4, 1909, c. 321, s. 115, 35 Stat. 1109.

This is a section of "An act to codify, revise, and amend the penal laws of the United States," cited above, incorporating therein the provisions of Rev. St. sec. 3742, which section is expressly repealed by section 341 of this act.

Contracts not affected by two preceding sections.

SEC. 116. Nothing contained in the two preceding sections shall extend, or be construed to extend, to any contract or agreement made or entered into, or accepted, by any incorporated company, where such contract or agreement is made for the general benefit of such incorporation or company; nor to the purchase or sale of bills of exchange or other property by any Member of or Delegate to Congress, or Resident Commissioner, where the same are ready for delivery, and payment therefor is made, at the time of making or entering into the contract or agreement.

Act March 4, 1909, c. 321, s. 116, 35 Stat. 1109.

This is a section of "An act to codify, revise, and amend the penal laws of the United States," cited above, incorporating therein the provisions of Rev. St. sec. 3740, which section is expressly repealed by section 341 of this act.

REV. ST. SEC. 3741.

Stipulation in contracts that no Member of Congress has an interest therein.

SEC. 3741. In every such contract or agreement to be made or entered into, or accepted by or on behalf of the United States, there shall be inserted an express condition that no member of or delegate to Congress shall be admitted to any share or part of such contract or agreement, or to any benefit to arise thereupon.

REV. ST. SEC. 3743.

Deposit of contracts.

SEC. 3743. All contracts to be made, by virtue of any law, and requiring the advance of money, or in any manner connected with the settlement of public accounts, shall be deposited promptly in the offices of the Auditors of the Treasury, according to the nature of the contracts: * * *

Rev. St. sec. 3743, as amended by act February 27, 1877, c. 69, s. 1, 19 Stat. 249, and act July 1, 1894, c. 174, s. 18, 28 Stat. 210.

REV. ST. SEC. 3826.

Publication of advertisements, notices, and proposals for contracts.

SEC. 3826. All advertisements, notices, and proposals for contracts for all the Executive Departments of the Government, * * * shall hereafter be advertised by publication in the three daily papers published in the District of Columbia having the largest circulation, one of which shall be selected by the Clerk of the House of Representatives, and in no others. The charges for such publications shall

not be higher than such as are paid by individuals for advertising in said papers, and the same publications shall be made in each of the said papers equally as to frequency: *Provided*, That no advertisement to any State, district, or Territory, other than the District of Columbia, Maryland, or Virginia, shall be published in the papers designated, unless at the direction first made of the proper head of a Department: * * *

ACT JULY 31, 1876, c. 246. (19 Stat. 102.)

Advertisements for contracts in District of Columbia.

* * * in no case of advertisement for contracts for the public service shall the same be published in any newspaper published and printed in the District of Columbia unless the supplies or labor covered by such advertisement are to be furnished or performed in said District of Columbia.

Act July 31, 1876, c. 246, s. 1, 19 Stat. 105.

This is a provision of the sundry civil appropriation act for the fiscal year 1877, cited above.

ACT JUNE 20, 1878, c. 359. (20 Stat. 206.)

Rate of payment for advertisements, notices, proposals for contracts, etc.

That hereafter all advertisements, notices, proposals for contracts, and all forms of advertising required by law for the several departments of the government may be paid for at a price not to exceed the commercial rates charged to private individuals, with the usual discounts; such rates to be ascertained from sworn statements to be furnished by the proprietors or publishers of the newspapers proposing so to advertise: * * * but the heads of the several departments may secure lower terms at special rates whenever the public interest requires it.

Act June 20, 1878, c. 359, s. 1, 20 Stat. 216.

This is a provision of the sundry civil appropriation act for the fiscal year 1879, cited above.

ACT JANUARY 21, 1881, c. 25. An act to regulate the award of and compensation for public advertising in the District of Columbia. (21 Stat. 317.)

Advertising in District of Columbia; rates of payment.

That all advertising required by existing laws to be done in the District of Columbia by any of the departments of the government shall be given to one daily and one weekly newspaper of each of the two principal political parties and to one daily and one weekly neutral newspaper: *Provided*, That the rates of compensation for such service shall in no case exceed the regular commercial rate of the newspapers selected; nor shall any advertisement be paid for unless published in accordance with section thirty-eight hundred and twenty-eight of the Revised Statutes.

Act January 21, 1881, c. 25, s. 1, 21 Stat. 317.

Rev. St. sec. 3828, mentioned in this provision, is set forth below.

Repeal.

SEC. 2. All laws or parts of laws inconsistent herewith are hereby repealed.

Act January 21, 1881, c. 25, s. 2 21 Stat. 317.

REV. ST. SEC. 3828.

No publication of advertisement, notice, or proposal, without authority.

SEC. 3828. No advertisement, notice, or proposal for any Executive Department of the Government, or for any Bureau thereof, or for any office therewith connected, shall be published in any newspaper whatever, except in pursuance of a written authority for such publication from the head of such Department; and no bill for any such advertising, or publication, shall be paid, unless there be presented, with such bill, a copy of such written authority.

ACT FEBRUARY 24, 1905, c. 773. An act to amend an act approved August thirteenth, eighteen hundred and ninety-four, entitled "An act for the protection of persons furnishing materials and labor for the construction of public works." (33 Stat. 811.)

Bonds of contractors for public buildings or works; rights of persons furnishing labor and materials; remedies on bonds in actions thereon.

That the Act entitled "An Act for the protection of persons furnishing materials and labor for the construction of public works," approved August thirteenth, eighteen hundred and ninety-four, is hereby amended so as to read as follows:

"That hereafter any person or persons entering into a formal contract with the United States for the construction of any public building, or the prosecution and completion of any public work, or for repairs upon any public building or public work, shall be required, before commencing such work, to execute the usual penal bond, with good and sufficient sureties, with the additional obligation that such contractor or contractors shall promptly make payments to all persons supplying him or them with labor and materials in the prosecution of the work provided for in such contract; and any person, company, or corporation who has furnished labor or materials used in the construction or repair of any public building or public work, and payment for which has not been made, shall have the right to intervene and be made a party to any action instituted by the United States on the bond of the contractor, and to have their rights and claims adjudicated in such action and judgment rendered thereon, subject, however, to the priority of the claim and judgment of the United States. If the full amount of the liability of the surety on said bond is insufficient to pay the full amount of said claims and demands, then, after paying the full amount due the United States, the remainder shall be distributed pro rata among said interveners. If no suit should be brought by the United States within six months from the completion and final settlement of said contract, then the person or persons supplying the contractor with labor and materials shall, upon application therefor, and furnishing affidavit to the Department under the direction of which said work has been prosecuted that labor or materials for the prosecution of such work has been supplied by him or them, and payment for which has not been made, be furnished with a certified copy of said contract and bond, upon which he or they shall have a right of action, and shall be, and are hereby, authorized to bring suit in the name of the United States in the circuit court of the United States in the district in which said contract was to be performed and executed, irrespective of the amount in controversy in such suit, and not elsewhere, for his or their use and benefit, against said contractor and his sureties, and to prosecute the same to final judgment and execu-

tion: *Provided*, That where suit is instituted by any of such creditors on the bond of the contractor it shall not be commenced until after the complete performance of said contract and final settlement thereof, and shall be commenced within one year after the performance and final settlement of said contract, and not later: *And provided further*, That where suit is so instituted by a creditor or by creditors, only one action shall be brought, and any creditor may file his claim in such action and be made party thereto within one year from the completion of the work under said contract, and not later. If the recovery on the bond should be inadequate to pay the amounts found due to all of said creditors, judgment shall be given to each creditor pro rata of the amount of the recovery. The surety on said bond may pay into court, for distribution among said claimants and creditors, the full amount of the sureties' liability, to wit, the penalty named in the bond, less any amount which said surety may have had to pay to the United States by reason of the execution of said bond, and upon so doing the surety will be relieved from further liability: *Provided further*, That in all suits instituted under the provisions of this Act such personal notice of the pendency of such suits, informing them of their right to intervene as the court may order, shall be given to all known creditors, and in addition thereto notice of publication in some newspaper of general circulation, published in the State or town where the contract is being performed, for at least three successive weeks, the last publication to be at least three months before the time limited therefor."

Act February 24, 1905, c. 778, 33 Stat. 811, amending act August 13, 1894, c. 280, 28 Stat. 278.

ACT MARCH 4, 1909, c. 321. (35 Stat. 1088.)

Officer making false acknowledgments; punishment.

SEC. 31. Whoever, being an officer authorized to administer oaths or to take and certify acknowledgments, shall knowingly make any false acknowledgment, certificate, or statement concerning the appearance before him or the taking of an oath or affirmation by any person with respect to any proposal, contract, bond, undertaking, or other matter, submitted to, made with, or taken on behalf of, the United States, and concerning which an oath or affirmation is required by law or regulation made in pursuance of law, or with respect to the financial standing of any principal, surety, or other party to any such proposal, contract, bond, undertaking, or other instrument, shall be fined not more than two thousand dollars, or imprisoned not more than two years, or both.

Act March 4, 1909, c. 321, s. 31, 35 Stat. 1094.

This is a section of "An act to codify, revise, and amend the penal laws of the United States." cited above.

PUBLIC MONEYS AND ACCOUNTING.

REV. ST. SEC. 236.

Public accounts to be settled in the Department of the Treasury.

SEC. 236. All claims and demands whatever by the United States or against them, and all accounts whatever in which the United States are concerned, either as debtors or as creditors, shall be settled and adjusted in the Department of the Treasury.

REV. ST. SEC. 237.

Commencement of the fiscal year.

SEC. 237. The fiscal year of the Treasury of the United States in all matters of accounts, receipts, expenditures, estimates, and appropriations, * * * shall commence on the first day of July in each year; and all accounts of receipts and expenditures required by law to be published annually shall be prepared and published for the fiscal year as thus established. * * *

REV. ST. SEC. 3615.

Collectors of public moneys to pay over.

SEC. 3615. All collectors and receivers of public money of every description, within the District of Columbia, shall, as often as they may be directed by the Secretary of the Treasury or the Postmaster-General so to do, pay over to the Treasurer of the United States, at the Treasury, all public moneys collected by them or in their hands. * * *

REV. ST. SEC. 3616.

Other persons having public moneys may pay into Treasury.

SEC. 3616. All * * * other persons than those mentioned in the preceding section, having public money to pay to the United States, may pay the same to any depositary constituted by or in pursuance of law, which may be designated by the Secretary of the Treasury.

REV. ST. SEC. 3617.

Moneys to be deposited without deduction.

SEC. 3617. The gross amount of all moneys received from whatever source for the use of the United States, except as otherwise provided in the next section, shall be paid by the officer or agent receiving the same into the Treasury, at as early a day as practicable, without any abatement or deduction on account of salary, fees, costs, charges, expenses, or claim of any description whatever. * * *

REV. ST. SEC. 3618.

Proceeds of sales of property.

SEC. 3618. All proceeds of sales of old material, condemned stores, supplies, or other public property of any kind, except * * * materials, stores, or supplies to any exploring or surveying expedition authorized by law, shall be deposited and covered into the Treasury as miscellaneous receipts, on account of "proceeds of Government property," and shall not be withdrawn or applied, except in consequence of a subsequent appropriation made by law.

ACT JUNE 8, 1896, c. 373. (29 Stat. 267.)

Payment of expenses of sales of property from proceeds.

That from the proceeds of sales of old material, condemned stores, supplies, or other public property of any kind, before being deposited into the Treasury, either as miscellaneous receipts on account of "proceeds of Government property" or to the credit of the appropriations

to which such proceeds are by law authorized to be made, there may be paid the expenses of such sales, as approved by the accounting officers of the Treasury, so as to require only the net proceeds of such sales to be deposited into the Treasury, either as miscellaneous receipts or to the credit of such appropriations, as the case may be.

Act June 8, 1896, c. 373, 29 Stat. 268.

This is a provision of the deficiency appropriation act for the fiscal year 1896, cited above.

A detailed statement of the proceeds of all sales of old material, etc., is required to be included in the appendix to the Book of Estimates, by Rev. St. sec. 3672, set forth on p. 314, *ante*, under "Estimates and Reports."

REV. ST. SEC. 3619.

Penalty for withholding money.

SEC. 3619. Every officer or agent who neglects or refuses to comply with the provisions of section thirty-six hundred and seventeen shall be subject to be removed from office, and to forfeit to the United States any share or part of the moneys withheld, to which he might otherwise be entitled.

REV. ST. SEC. 3620.

Duty of disbursing officers.

SEC. 3620. It shall be the duty of every disbursing officer having any public money intrusted to him for disbursement, to deposit the same with the Treasurer or some one of the assistant treasurers of the United States, and to draw for the same only as it may be required for payments to be made by him in pursuance of law and draw for the same only in favor of the persons to whom payment is made; and all transfers from the Treasurer of the United States to a disbursing officer shall be by draft or warrant on the Treasury or an assistant treasurer of the United States. In places, however, where there is no treasurer or assistant treasurer, the Secretary of the Treasury may, when he deems it essential to the public interest, specially authorize in writing the deposit of such public money in any other public depository, or, in writing, authorize the same to be kept in any other manner, and under such rules and regulations as he may deem most safe and effectual to facilitate the payments to public creditors.

REV. ST. SEC. 3621.

SEC. 3621. Every person who shall have moneys of the United States in his hands or possession, and disbursing officers having moneys in their possession not required for current expenditure, shall pay the same to the Treasurer, an Assistant Treasurer, or some public depository of the United States, without delay, and in all cases within thirty days of their receipt. And the Treasurer, the Assistant Treasurer, or the public depository shall issue duplicate receipts for the moneys so paid, transmitting forthwith the original to the Secretary of the Treasury, and delivering the duplicate to the depositor: * * *

Rev. St. sec. 3621, as amended by act May 28, 1896, c. 252, s. 5, 29 Stat. 179.

REV. ST. SEC. 3622.

Time and manner of rendering accounts for public money received.

SEC. 3622. Every officer or agent of the United States who receives public money which he is not authorized to retain as salary, pay, or emolument, shall render his accounts monthly. Such accounts, with the vouchers necessary to the correct and prompt settlement thereof, shall be sent by mail, or otherwise, to the Bureau to which they pertain, within ten days after the expiration of each successive month, and, after examination there, shall be passed to the proper accounting officer of the Treasury for settlement. * * * In case of the non-receipt at the Treasury or proper Bureau, of any accounts within a reasonable and proper time thereafter, the officer whose accounts are in default shall be required to furnish satisfactory evidence of having complied with the provisions of this section. Nothing herein contained shall, however, be construed to restrain the heads of any of the Departments from requiring such other returns or reports from the officer or agent, subject to the control of such heads of Departments, as the public interests may require.

Rev. St. sec. 3622, as amended by act February 27, 1877, c. 69, s. 1, 19 Stat. 249, and act July 31, 1894, c. 174, s. 12, 28 Stat. 209.

ACT AUGUST 30, 1890, c. 837. (26 Stat. 371.)

Accounts of disbursing officers.

SEC. 4. That hereafter all disbursing officers of the United States shall render their accounts quarterly; * * * but the Secretary of the Treasury may direct any or all such accounts to be rendered more frequently when in his judgment the public interests may require.

Act August 30, 1890, c. 837, s. 4, 26 Stat. 413.

This section is a part of the sundry civil appropriation act for the fiscal year 1891, cited above.

ACT JULY 31, 1894, c. 174. (28 Stat. 162.)

Comptroller of Treasury to prescribe forms of keeping and rendering accounts.

SEC. 5. The Comptroller of the Treasury shall, under the direction of the Secretary of the Treasury, prescribe the forms of keeping and rendering all public accounts, except those relating to the postal revenues and expenditures therefrom.

Act July 31, 1894, c. 174, s. 5, 28 Stat. 206.

Certified balances conclusive on departments; revision of accounts; accepting payment on auditor's settlement, conclusive; decisions of auditors to be examined by comptroller; comptroller's decisions to govern.

SEC. 8. The balances which may from time to time be certified by the Auditors to the Division of Bookkeeping and Warrants, or to the Postmaster-General, upon the settlements of public accounts, shall be final and conclusive upon the Executive Branch of the Government, except that any person whose accounts may have been settled, the head of the Executive Department, or of the board, commission, or establishment not under the jurisdiction of an Executive Department, to which the account pertains, or the Comptroller of the Treasury, may, within a year, obtain a revision of the said account by the Comptroller of the Treasury, whose decision upon such revision shall be final and conclusive upon the Executive Branch of the Government: *Provided*,

That the Secretary of the Treasury may, when in his judgment the interests of the Government require it, suspend payment and direct the re-examination of any account.

Upon a certificate by the Comptroller of the Treasury of any differences ascertained by him upon revision the Auditor who shall have audited the account shall state an account of such differences, and certify it to the Division of Bookkeeping and Warrants, except that balances found and accounts stated as aforesaid by the Auditor for the Post-Office Department for postal revenues and expenditures therefrom shall be certified to the Postmaster-General.

Any person accepting payment under a settlement by an Auditor shall be thereby precluded from obtaining a revision of such settlement as to any items upon which payment is accepted; but nothing in this Act shall prevent an Auditor from suspending items in an account in order to obtain further evidence or explanations necessary to their settlement. When suspended items are finally settled a revision may be had as in the case of the original settlement. Action upon any account or business shall not be delayed awaiting applications for revision: *Provided*, That the Secretary of the Treasury shall make regulations fixing the time which shall expire before a warrant is issued in payment of an account certified as provided in sections seven and eight of this Act.

The Auditors shall, under the direction of the Comptroller of the Treasury, preserve, with their vouchers and certificates, all accounts which have been finally adjusted.

All decisions by Auditors making an original construction or modifying an existing construction of statutes shall be forthwith reported to the Comptroller of the Treasury, and items in any account affected by such decisions shall be suspended and payment thereof withheld until the Comptroller of the Treasury shall approve, disapprove, or modify such decisions and certify his actions to the Auditor. All decisions made by the Comptroller of the Treasury under this Act shall be forthwith transmitted to the Auditor or Auditors whose duties are affected thereby.

Disbursing officers, or the head of any Executive Department, or other establishment not under any of the Executive Departments, may apply for and the Comptroller of the Treasury shall render his decision upon any question involving a payment to be made by them or under them, which decision, when rendered, shall govern the Auditor and the Comptroller of the Treasury in passing upon the account containing said disbursement.

Act July 31, 1894, c. 174, s. 8, 28 Stat. 207.

Time and manner of rendering accounts; advances of money withheld on delinquency; annual report of delinquencies.

SEC. 12. All monthly accounts shall be mailed or otherwise sent to the proper officer at Washington within ten days after the end of the month to which they relate, and quarterly and other accounts within twenty days after the period to which they relate, and shall be transmitted to and received by the Auditors within twenty days of their actual receipt at the proper office in Washington in the case of monthly, and sixty days in the case of quarterly and other accounts. Should there be any delinquency in this regard at the time of the

receipt by the Auditor of a requisition for an advance of money, he shall disapprove the requisition, which he may also do for other reasons arising out of the condition of the officer's accounts for whom the advance is requested; but the Secretary of the Treasury may overrule the Auditor's decision as to the sufficiency of these latter reasons: *Provided*, That the Secretary of the Treasury shall prescribe suitable rules and regulations, and may make orders in particular cases, relaxing the requirement of mailing or otherwise sending accounts, as aforesaid, within ten or twenty days, or waiving delinquency, in such cases only in which there is, or is likely to be, a manifest physical difficulty in complying with the same, it being the purpose of this provision to require the prompt rendition of accounts without regard to the mere convenience of the officers, and to forbid the advance of money to those delinquent in rendering them: *Provided further*, That should there be a delay by the administrative Departments beyond the aforesaid twenty or sixty days in transmitting accounts, an order of the President, or, in the event of the absence from the seat of Government or sickness of the President, an order of the Secretary of the Treasury, in the particular case, shall be necessary to authorize the advance of money requested: * * *

The Secretary of the Treasury shall, on the first Monday of January in each year, make report to Congress of such officers and administrative departments and offices of the Government as were, respectively, at any time during the last preceding fiscal year delinquent in rendering or transmitting accounts to the proper offices in Washington and the cause therefor, and in each case indicating whether the delinquency was waived, together with such officers * * * as were found upon final settlement of their accounts to have been indebted to the Government, with the amount of such indebtedness in each case, and who, at the date of making report, had failed to pay the same into the Treasury of the United States.

Act July 31, 1894, c. 174, s. 12, 28 Stat. 209, as amended by act March 2, 1895, c. 177, s. 4, 28 Stat. 807, and act May 28, 1896, c. 252, s. 4, 29 Stat. 179.

Regulations by heads of departments for administrative examination of accounts.

SEC. 22. * * * It shall also be the duty of the heads of the several Executive Departments and of the proper officers of other Government establishments, not within the jurisdiction of any Executive Department, to make appropriate rules and regulations to secure a proper administrative examination of all accounts sent to them, as required by section twelve of this Act, before their transmission to the Auditors, and for the execution of other requirements of this Act in so far as the same relate to the several Departments or establishments.

Act July 31, 1894, c. 174, s. 22, 28 Stat. 210.

ACT AUGUST 23, 1912, c. 350. (37 Stat. 360.)

Administrative examination of accounts; vouchers and pay-rolls to be prepared and examined by heads of divisions and bureaus of departments instead of disbursing clerks.

Hereafter the administrative examination of all public accounts, preliminary to their audit by the accounting officers of the Treasury,

shall be made as contemplated by the so-called Dockery Act, approved July thirty-first, eighteen hundred and ninety-four, and all vouchers and pay rolls shall be prepared and examined by and through the administrative heads of divisions and bureaus in the executive departments and not by the disbursing clerks of said departments, except those vouchers heretofore prepared outside of Washington may continue to be so prepared and the disbursing officers shall make only such examination of vouchers as may be necessary to ascertain whether they represent legal claims against the United States.

Act August 23, 1912, c. 350, s. 1, 37 Stat. 375.

These are provisions of the legislative, executive, and judicial appropriation act for the fiscal year 1913, cited above.

The provisions of act July 31, 1894, c. 174, mentioned in this paragraph, are set forth above.

ACT FEBRUARY 19, 1897, c. 265. (29 Stat. 538.)

Inspection of books, papers, etc., of disbursing officers.

All books, papers, and other matters relating to the office or accounts of disbursing officers of the Executive Departments, and commissions, boards, and establishments of the Government in the District of Columbia shall at all times be subject to inspection and examination by the Comptroller of the Treasury and the Auditor of the Treasury authorized to settle such accounts, or by the duly authorized agents of either of said officials.

Act February 19, 1897, c. 265, s. 1, 29 Stat. 550.

This is a provision of the legislative, executive, and judicial appropriation act for the fiscal year 1898, cited above.

REV. ST. SEC. 3623.

Distinct accounts required of application of public moneys according to appropriations.

SEC. 3623. All officers, agents, or other persons, receiving public moneys, shall render distinct accounts of the application thereof, according to the appropriation under which the same may have been advanced to them.

REV. ST. SEC. 3624.

Suits to recover money from officers, regulated.

SEC. 3624. Whenever any person accountable for public money, neglects or refuses to pay into the Treasury the sum or balance reported to be due to the United States, upon the adjustment of his account, the First Comptroller of the Treasury shall institute suit for the recovery of the same, adding to the sum stated to be due on such account, the commissions of the delinquent, which shall be forfeited in every instance where suit is commenced and judgment obtained thereon, and an interest of six per centum per annum, from the time of receiving the money until it shall be repaid into the Treasury.

The First Comptroller of the Treasury is designated Comptroller of the Treasury by act July 31, 1894, c. 174, s. 4, 28 Stat. 205.

REV. ST. SEC. 3625.

Distress warrant against delinquent officer.

SEC. 3625. Whenever any collector of the revenue, receiver of public money, or other officer who has received the public money before

it is paid into the Treasury of the United States, fails to render his account, or pay over the same in the manner or within the time required by law, it shall be the duty of the proper Auditor to cause to be stated the account of such officer, exhibiting truly the amount due to the United States, and to certify the same to the Solicitor of the Treasury, who shall issue a warrant of distress against the delinquent officer and his sureties, directed to the marshal of the district in which such officer and his sureties reside. Where the officer and his sureties reside in different districts, or where they, or either of them, reside in a district other than that in which the estate of either may be, which it is intended to take and sell, then such warrant shall be directed to the marshals of such districts, respectively.

Rev. St. sec. 3625, as amended by act July 31, 1894, c. 174, s. 4, 28 Stat. 206.

REV. ST. SEC. 3626.

Contents of distress warrant.

SEC. 3626. The warrant of distress shall specify the amount with which such delinquent is chargeable, and the sums, if any, which have been paid.

REV. ST. SEC. 3627.

Execution against delinquent officer.

SEC. 3627. The marshal authorized to execute any warrant of distress shall, by himself or by his deputy, proceed to levy and collect the sum remaining due, by distress and sale of the goods and chattels of such delinquent officer; having given ten days' previous notice of such intended sale, by affixing an advertisement of the articles to be sold at two or more public places in the town and county where the goods or chattels were taken, or in the town or county where the owner of such goods or chattels may reside. If the goods and chattels be not sufficient to satisfy the warrant, the same may be levied upon the person of such officer, who may be committed to prison, there to remain until discharged by due course of law.

REV. ST. SEC. 3628.

Execution against surety.

SEC. 3628. If the delinquent officer absconds, or if goods and chattels belonging to him cannot be found sufficient to satisfy the warrant, the marshal or his deputy shall proceed, notwithstanding the commitment of the delinquent officer, to levy and collect the sum which remains due by such delinquent, by the distress and sale of the goods and chattels of his sureties; having given ten days' previous notice of such intended sale, by affixing an advertisement of the articles to be sold at two or more public places in the town or county where the goods or chattels were taken, or in the town or county where the owner resides.

REV. ST. SEC. 3629.

Levy to be a lien.

SEC. 3629. The amount due by any delinquent officer is declared to be a lien upon the lands, tenements, and hereditaments of such officer and his sureties, from the date of a levy in pursuance of the warrant

of distress issued against him or them, and a record thereof made in the office of the clerk of the district court of the proper district, until the same is discharged according to law.

REV. ST. SEC. 3630.

Sale of lands regulated.

SEC. 3630. For want of goods and chattels of a delinquent officer, or his sureties, sufficient to satisfy any warrant of distress issued pursuant to the foregoing provisions, the lands, tenements, and hereditaments of such officer and his sureties, or so much thereof as may be necessary for that purpose, after being advertised for at least three weeks in not less than three public places in the county or district where such real estate is situate, before the time of sale, shall be sold by the marshal of such district or his deputy.

REV. ST. SEC. 3631.

Conveyance of lands.

SEC. 3631. For all lands, tenements, or hereditaments sold in pursuance of the preceding section, the conveyance of the marshal or his deputy, executed in due form of law, shall give a valid title against all persons claiming under such delinquent officer or his sureties.

REV. ST. SEC. 3632.

Disposal of surplus.

SEC. 3632. All moneys which may remain of the proceeds of sales, after satisfying the warrant of distress, and paying the reasonable costs and charges of the sale, shall be returned to such delinquent officer or surety, as the case may be.

REV. ST. SEC. 3633.

Failure of disbursing officer to account or pay over; penalty.

SEC. 3633. Whenever any officer employed in the civil, military, or naval service of the Government, to disburse the public money appropriated for those branches of the public service, respectively, fails to render his accounts, or to pay over, in the manner and in the times required by law, or by the regulations of the Department to which he is accountable, any sum of money remaining in his hands, it shall be the duty of the proper Auditor, as the case may be, who shall be charged with the revision of the accounts of such officer, to cause to be stated and certified the account of such delinquent officer to the Solicitor of the Treasury, who is hereby authorized and required immediately to proceed against such delinquent officer, in the manner directed in the six preceding sections.

Rev. St. sec. 3633, as amended by act July 31, 1894, c. 174, s. 4, 28 Stat. 206.

REV. ST. SEC. 3634.

Extent of application of provision for distress warrants.

SEC. 3634. All the provisions relating to the issuing of a warrant of distress against a delinquent officer shall extend to every officer of the Government charged with the disbursement of the public money, and to their sureties, in the same manner and to the same extent as if they were herein described and enumerated.

REV. ST. SEC. 3635.

Postponement of proceedings against delinquent officer.

SEC. 3635. With the approval of the Secretary of the Treasury, the institution of proceedings by a warrant of distress may be postponed, for a reasonable time, in cases where, in his opinion, the public interest will sustain no injury by such postponement.

REV. ST. SEC. 3636.

Injunction to stay distress warrant.

SEC. 3636. Any person who considers himself aggrieved by any warrant of distress issued under the foregoing provisions may prefer a bill of complaint to any district judge of the United States, setting forth therein the nature and extent of the injury of which he complains; and thereupon the judge may grant an injunction to stay proceedings on such warrant altogether, or for so much thereof as the nature of the case requires. But no injunction shall issue till the party applying for it gives bond, with sufficient security, in a sum to be prescribed by the judge, for the performance of such judgment as may be awarded against him; nor shall the issuing of such injunction in any manner impair the lien produced by the issuing of the warrant. And the same proceedings shall be had on such injunction as in other cases, except that no answer shall be necessary on the part of the United States; and if, upon dissolving the injunction, it appears to the satisfaction of the judge that the application for the injunction was merely for delay, the judge may add to the lawful interest assessed on all sums found due against the complainant such damages as, with such lawful interest, shall not exceed the rate of ten per centum a year. Such injunction may be granted or dissolved by the district judge either in or out of court.

REV. ST. SEC. 3637.

Proceedings on distress warrant.

SEC. 3637. When the district judge refuses to grant an injunction to stay proceedings on a distress-warrant, as aforesaid, or dissolves such injunction after it is granted, any person who considers himself aggrieved by the decision in the premises may lay before the circuit justice, or circuit judge of the circuit within which such district lies, a copy of the proceeding had before the district judge; and thereupon the circuit justice or circuit judge may grant an injunction, or permit an appeal, as the case may be, if, in his opinion, the equity of the case requires it. The same proceedings, subject to the same conditions, shall be had upon such injunction in the circuit court as are prescribed in the district court.

REV. ST. SEC. 3638.

Rights of United States reserved.

SEC. 3638. Nothing contained in the provisions of this Title relating to distress-warrants shall be construed to take away or impair any right or remedy which the United States might have, by law, for the recovery of taxes, debts, or demands.

REV. ST. SEC. 3639.

Duties of officers as custodians of public moneys.

SEC. 3639. The Treasurer of the United States, all assistant treasurers, and those performing the duties of assistant treasurer, * * * and all public officers of whatsoever character, are required to keep safely, without loaning, using, depositing in banks, or exchanging for other funds than as specially allowed by law, all the public money collected by them, or otherwise at any time placed in their possession and custody, till the same is ordered, by the proper Department or officer of the Government, to be transferred or paid out; and when such orders for transfer or payment are received, faithfully and promptly to make the same as directed, and to do and perform all other duties as fiscal agents of the Government which may be imposed by any law, or by any regulation of the Treasury Department made in conformity to law. * * *

REV. ST. SEC. 3643.

Entry required of each deposit, transfer, and payment of public moneys.

SEC. 3643. All persons charged by law with the safe-keeping, transfer, and disbursement of the public moneys * * * are required to keep an accurate entry of each sum received and of each payment or transfer.

REV. ST. SEC. 3646.

Duplicates of lost, stolen, or destroyed disbursing officer's checks.

SEC. 3646. Whenever any original disbursing officer's check is lost, stolen, or destroyed, the Secretary of the Treasury may authorize the officer issuing the same, after the expiration of six months and within three years from the date of such disbursing officer's check, to issue a duplicate thereof upon the execution of such bond to indemnify the United States as the Secretary of the Treasury may prescribe: *Provided*, That when such original disbursing officer's check does not exceed in amount the sum of fifty dollars the Secretary of the Treasury may authorize the issuance of a duplicate at any time after the expiration of thirty days and within three years from the date of such disbursing officer's check: * * *

Rev. St. sec. 3646, as amended by act February 16, 1885, c. 123, 23 Stat. 306, act March 23, 1906, c. 1129, 34 Stat. 84, act June 19, 1906, c. 3434, 34 Stat. 301, act May 27, 1908, c. 206, 35 Stat. 415, and act February 23, 1909, c. 174, s. 1, 35 Stat. 643.

REV. ST. SEC. 3647.

Duplicate of lost, destroyed, or stolen check when officer who issued same is dead or no longer in service.

SEC. 3647. In case the disbursing officer or agent by whom such lost, destroyed, or stolen original check was issued is dead or no longer in the service of the United States it shall be the duty of the proper accounting officer, under such regulations as the Secretary of the Treasury may prescribe, to state an account in favor of the owner of such original check for the amount thereof and to charge such amount to the account of such officer or agent: * * *

Rev. St. sec. 3647, as amended by act May 27, 1908, c. 206, 35 Stat. 415, and act February 23, 1909, c. 174, s. 1, 35 Stat. 644.

REV. ST. SEC. 300.**Allowance of lost checks.**

SEC. 300. Whenever the disbursing officer or agent by whom was issued any check which has been lost, destroyed, or stolen, is dead, or no longer in the service of the United States, the proper accounting officer shall, under such regulations as the Secretary of the Treasury may prescribe, state an account in favor of the owner of such original check for the amount thereof, and charge such amount to the account of such officer or agent.

REV. ST. SEC. 306.**Disposal of liabilities outstanding three or more years.**

SEC. 306. At the termination of each fiscal year all amounts of moneys that are represented by certificates, drafts, or checks, issued by the Treasurer, or by any disbursing officer of any Department of the Government, upon the Treasurer or any assistant treasurer, or designated depository of the United States, or upon any national bank designated as a depository of the United States, and which shall be represented on the books of either of such offices as standing to the credit of any disbursing officer, and which were issued to facilitate the payment of warrants, or for any other purpose in liquidation of a debt due from the United States, and which have for three years or more remained outstanding, unsatisfied, and unpaid, shall be deposited by the Treasurer, to be covered into the Treasury by warrant, and to be carried to the credit of the parties in whose favor such certificates, drafts, or checks were respectively issued, or to the persons who are entitled to receive pay therefor, and into an appropriation account to be denominated "outstanding liabilities."

REV. ST. SEC. 307.**Vouchers for drafts remaining outstanding for three or more years.**

SEC. 307. The certificate of the Secretary of the Treasury, stating that the amount of any draft issued by the Treasurer, to facilitate the payment of a warrant directed to him for payment, has remained outstanding and unpaid for three years or more, and has been deposited and covered into the Treasury in the manner prescribed by the preceding section, shall be, when attached to any such warrant, a sufficient voucher in satisfaction of any such warrant or part of any warrant, the same as if the drafts correctly indorsed and fully satisfied were attached to such warrant or part of warrant. And all such moneys mentioned in this and in the preceding section shall remain as a permanent appropriation for the redemption and payment of all such outstanding and unpaid certificates, drafts, and checks.

Rev. St. sec. 307, as amended by act July 31, 1894, c. 174, s. 16, 28 Stat. 210.

REV. ST. SEC. 308.**Payment upon presentation of outstanding drafts.**

SEC. 308. The payee or the bona-fide holder of any draft or check the amount of which has been deposited and covered into the Treasury pursuant to the preceding sections, shall, on presenting the same

to the proper officer of the Treasury, be entitled to have it paid by the settlement of an account and the issuing of a warrant in his favor, according to the practice in other cases of authorized and liquidated claims against the United States.

REV. ST. SEC. 309.

Accounts of disbursing officers remaining unchanged for three years.

SEC. 309. The amounts, except such as are provided for in section three hundred and six, of the accounts of every kind of disbursing officer, which shall have remained unchanged, or which shall not have been increased by any new deposit thereto, nor decreased by drafts drawn thereon, for the space of three years, shall in like manner be covered into the Treasury, to the proper appropriation to which they belong; and the amounts thereof shall, on the certificate of the Treasurer that such amount has been deposited in the Treasury, be credited by the proper accounting officer of the Department of the Treasury on the books of the Department, to the officer in whose name it had stood on the books of any agency of the Treasury, if it appears that he is entitled to such credit.

REV. ST. SEC. 310.

Reports by disbursing officers of checks outstanding for three years.

SEC. 310. The Treasurer, each assistant treasurer, and each designated depositary of the United States, and the cashier of each of the national banks designated as such depositaries, shall, at the close of business on every thirtieth day of June, report to the Secretary of the Treasury the condition of every account standing, as in the preceding section specified, on the books of their respective offices, stating the name of each depositor, with his official designation, the total amount remaining on deposit to his credit, and the dates, respectively, of the last credit and the debit made to each account. And each disbursing officer shall make a like return of all checks issued by him, and which may then have been outstanding and unpaid for three years and more, stating fully in such report the name of the payee, for what purpose each check was given, the office on which drawn, the number of the voucher received therefor, the date, number, and amount for which it was drawn, and, when known, the residence of the payee.

REV. ST. SEC. 3648.

Advances of public moneys prohibited.

SEC. 3648. No advance of public money shall be made in any case whatever. And in all cases of contracts for the performance of any service, or the delivery of articles of any description, for the use of the United States, payment shall not exceed the value of the service rendered, or of the articles delivered previously to such payment. It shall, however, be lawful, under the special direction of the President, to make such advances to the disbursing officers of the Government as may be necessary to the faithful and prompt discharge of their respective duties, and to the fulfillment of the public engagements. * * *

Advances from appropriations for the Department of Agriculture to such chiefs of field parties, agricultural explorers, and others as shall have given bonds, are authorized by a provision of act June 3, 1902, c. 985, set forth on p. 20, *ante*.

Rev. St. sec. 3648 is not to apply to subscriptions for publications for the Department of Agriculture, by a provision of act March 4, 1909, c. 301, set forth on p. 236, *ante*.

REV. ST. SEC. 3651.

Exchange of funds restricted.

SEC. 3651. No exchange of funds shall be made by any disbursing officer or agent of the Government, of any grade or denomination whatsoever, or connected with any branch of the public service, other than an exchange for gold, silver, United States notes, and national-bank notes; and every such disbursing officer, when the means for his disbursements are furnished to him in gold, silver, United States notes, or national-bank notes, shall make his payments in the moneys so furnished; or when they are furnished to him in drafts, shall cause those drafts to be presented at their place of payment, and properly paid according to law, and shall make his payments in money so received for the drafts furnished, unless, in either case, he can exchange the means in his hands for gold and silver at par. And it shall be the duty of the head of the proper Department immediately to suspend from duty any disbursing officer or agent who violates the provisions of this section, and forthwith to report the name of the officer or agent to the President, with the fact of the violation, and all the circumstances accompanying the same, and within the knowledge of the Secretary, to the end that such officer or agent may be promptly removed from office, or restored to his trust and the performance of his duties, as the President may deem just and proper.

REV. ST. SEC. 3652.

Premiums on sales of public moneys to be accounted for.

SEC. 3652. No officer of the United States shall, either directly or indirectly, sell or dispose of to any person, for a premium, any Treasury note, draft, warrant, or other public security, not his private property, or sell or dispose of the avails or proceeds of such note, draft, warrant, or security, in his hands for disbursement, without making return of such premium, and accounting therefor by charging the same in his accounts to the credit of the United States; and any officer violating this section shall be forthwith dismissed from office.

REV. ST. SEC. 3653.

Expenses of fiscal agents for safe-keeping, transferring, or disbursing public moneys.

SEC. 3653. The officers, respectively, whose duty it is made by this Title to receive, keep, or disburse the public moneys, as the fiscal agents of the Government, may be allowed any necessary additional expenses for clerks, fire-proof chests or vaults, or other necessary expenses of safe-keeping, transferring, or disbursing the moneys; but all such expenses of every character shall be first expressly authorized by the Secretary of the Treasury, whose directions upon all the above subjects, by way of regulation and otherwise, so far as authorized by law, shall be strictly followed by all the officers.

ACT AUGUST 7, 1882, c. 433. (22 Stat. 302.)

No expenditure for clerical services for safe-keeping, transferring, and disbursing public moneys.

For contingent expenses under the requirements of section thirty-six hundred and fifty-three of the Revised Statutes of the United

States, for the collection, safe-keeping, transfer, and disbursement of the public money, and for transportation of notes, bonds, and other securities of the United States, * * *. And hereafter no part of the money appropriated for the purposes mentioned in this paragraph shall be expended for clerical services or payment of employees of any nature or grade.

Act August 7, 1882, c. 433, s. 1, 22 Stat. 312.

This is a provision of the sundry civil appropriation act for the fiscal year 1883, cited above.

REV. ST. 3654.

Limit upon extra compensation for disbursements for construction of public buildings.

SEC. 3654. No extra compensation exceeding one-eighth of one per centum shall in any case be allowed or paid to any officer, person or corporation for disbursing moneys appropriated to the construction of any public building.

ACT MARCH 3, 1875, c. 131. (18 Stat. 402.)

Extra compensation for disbursements for public buildings.

That the provisions contained in the act approved March third, eighteen hundred and sixty-nine, entitled "an act making appropriations to supply deficiencies in the appropriations for the service of the Government for the fiscal year ending June thirtieth, eighteen hundred and sixty-nine, and for other purposes", limiting the compensation to be allowed for the disbursement of moneys appropriated for the construction of any public building was intended and shall be deemed and held to limit the compensation to be allowed to any disbursing officer who disburses moneys appropriated for and expended in the construction of any public building as aforesaid to three-eighths of one per centum for said services.

Act March 3, 1875, c. 131, s. 4, 18 Stat. 415.

This is a provision of the deficiency appropriation act for the fiscal year 1875, cited above.

The provisions of act March 3, 1869, c. 123, 15 Stat. 312, here referred to, were incorporated in Rev. St. sec. 3654, set forth above.

ACT AUGUST 7, 1882, c. 433. (22 Stat. 302.)

Extra compensation for disbursements of moneys for public buildings or grounds outside of city of Washington.

* * * any disbursing agent who has been or may be appointed to disburse any appropriation for any United States court-house and post-office, or other building or grounds, not located within the city of Washington, shall be entitled to the compensation allowed by law to collectors of customs for such amounts as have been or may be disbursed.

Act August 7, 1882, c. 433, s. 1, 22 Stat. 306.

This is a provision of the sundry civil appropriation act for the fiscal year 1883, cited above.

The compensation of collectors of customs when acting as disbursing agents is fixed by Rev. St., secs. 3657 and 3658.

ACT MARCH 4, 1911, c. 285. (36 Stat. 1363.)

Disbursements for construction of public buildings to be made by Treasury Department, and in exceptional cases, by collectors of customs; no extra compensation except to disbursing agents who have given bonds.

Hereafter all disbursements of money appropriated for the construction of public buildings under the control of the Treasury De-

partment shall be made by the Treasury Department at Washington, District of Columbia, except in cases of public buildings located so remote from the seat of government as to occasion hardship by undue delay in making payments to contractors, in every such exceptional case the Secretary of the Treasury may, in his discretion, require the collector of customs at or nearest the place where such building is being constructed to make the disbursement, as provided in section seventeen hundred and sixty-five of the Revised Statutes of the United States, but in such exceptional cases no additional compensation shall be paid to any collector of customs for disbursements made hereunder; and hereafter no compensation or commissions shall be allowed for the disbursement of any appropriation for the construction, extension, enlargement, remodeling, or repairs of any public building under the control of the Treasury Department, except to disbursing agents heretofore appointed and who have qualified by giving bonds.

Act March 4, 1911, c. 285, s. 1, 36 Stat. 1387.

These are provisions of the sundry civil appropriation act for the fiscal year 1912, cited above.

Rev. St. sec. 1765, mentioned above, is set forth on p. 286, *ante*, under "Officers, Clerks, and Employees."

ACT MARCH 4, 1909, c. 321. (35 Stat. 1088.)

Forging bonds, bids, public records, etc., or transmitting same, for the purpose of defrauding the United States; punishment.

SEC. 28. Whoever shall falsely make, alter, forge, or counterfeit, or cause or procure to be falsely made, altered, forged, or counterfeited, or willingly aid, or assist in the false making, altering, forging, or counterfeiting, any bond, bid, proposal, contract, guarantee, security, official bond, public record, affidavit, or other writing for the purpose of defrauding the United States; or shall utter or publish as true, or cause to be uttered or published as true, or have in his possession with the intent to utter or publish as true, any such false, forged, altered, or counterfeited bond, bid, proposal, contract, guarantee, security, official bond, public record, affidavit, or other writing, for the purpose of defrauding the United States, knowing the same to be false, forged, altered, or counterfeited; or shall transmit to, or present at, or cause or procure to be transmitted to, or presented at, the office of any officer of the United States, any such false, forged, altered, or counterfeited bond, bid, proposal, contract, guarantee, security, official bond, public record, affidavit, or other writing, knowing the same to be false, forged, altered, or counterfeited, for the purpose of defrauding the United States, shall be fined not more than one thousand dollars, or imprisoned not more than ten years, or both.

Act March 4, 1909, c. 321, s. 28, 35 Stat. 1094.

This is a section of "An act to codify, revise, and amend the penal laws of the United States," cited above, incorporating therein the provisions of Rev. St. secs. 5418 and 5479, which sections are expressly repealed by section 341 of this act.

Forging deeds, powers of attorney, etc., or transmitting same, with intent to defraud the United States; punishment.

SEC. 29. Whoever shall falsely make, alter, forge, or counterfeit, or cause or procure to be falsely made, altered, forged, or counterfeited, or willingly aid or assist in the false making, altering, forging, or counterfeiting, any deed, power of attorney, order, certificate,

receipt, contract, or other writing, for the purpose of obtaining or receiving, or of enabling any other person, either directly or indirectly, to obtain or receive from the United States, or any of their officers or agents, any sum of money; or whoever shall utter or publish as true, or cause to be uttered or published as true, any such false, forged, altered, or counterfeited deed, power of attorney, order, certificate, receipt, contract, or other writing, with intent to defraud the United States, knowing the same to be false, altered, forged, or counterfeited; or whoever shall transmit to, or present at, or cause or procure to be transmitted to, or presented at, any office or officer of the Government of the United States, any deed, power of attorney, order, certificate, receipt, contract, or other writing, in support of, or in relation to, any account or claim, with intent to defraud the United States, knowing the same to be false, altered, forged, or counterfeited, shall be fined not more than one thousand dollars and imprisoned not more than ten years.

Act March 4, 1909, c. 321, s. 29, 35 Stat. 1094.

This is a section of "An act to codify, revise, and amend the penal laws of the United States," cited above, incorporating therein the provisions of Rev. St. sec. 5421, which section is expressly repealed by section 341 of this act.

Having false, etc., papers in possession, with intent to defraud the United States.

SEC. 30. Whoever, knowingly and with intent to defraud the United States, shall have in his possession any false, altered, forged, or counterfeited deed, power of attorney, order, certificate, receipt, contract, or other writing, for the purpose of enabling another to obtain from the United States, or from any officer or agent thereof, any sum of money, shall be fined not more than five hundred dollars, or imprisoned not more than five years, or both.

Act March 4, 1909, c. 321, s. 30, 35 Stat. 1094.

This is a section of "An act to codify, revise, and amend the penal laws of the United States," cited above, incorporating therein the provisions of Rev. St. sec. 5422, which section is expressly repealed by section 341 of this act.

False personation of person entitled to wages or other debt from the United States; punishment.

SEC. 33. Whoever shall falsely personate * * * any person entitled to any * * * wages, or other debt due from the United States, and, under color of such false personation, * * * shall receive or endeavor to receive * * * the money of any person really entitled to receive such * * * wages, or other debt, shall be fined not more than five thousand dollars and imprisoned not more than ten years.

Act March 4, 1909, c. 321, s. 33, 35 Stat. 1095.

This is a section of "An act to codify, revise, and amend the penal laws of the United States," cited above, incorporating therein provisions of Rev. St. sec. 5435, which section is expressly repealed by section 341 of this act.

Demand on false, etc., power of attorney, for wages or other debt from the United States.

SEC. 34. Whoever shall knowingly or fraudulently demand or endeavor * * * to have any * * * wages, or other debt due from the United States, or any part thereof, received, or paid by

virtue of any false, forged, or counterfeit power of attorney, authority, or instrument, shall be fined not more five thousand dollars and imprisoned not more than ten years.

Act March 4, 1909, c. 321, s. 34, 35 Stat. 1095.

This is a section of "An act to codify, revise, and amend the penal laws of the United States," cited above, incorporating therein provisions of Rev. St. sec. 5436, which section is expressly repealed by section 341 of this act.

Presenting false claims.

SEC. 35. Whoever shall make or cause to be made, or present or cause to be presented, for payment or approval, to or by any person or officer in the civil, military, or naval service of the United States, any claim upon or against the Government of the United States, or any department or officer thereof, knowing such claim to be false, fictitious, or fraudulent; or whoever, for the purpose of obtaining or aiding to obtain the payment or approval of such claim, shall make or use, or cause to be made or used, any false bill, receipt, voucher, roll, account, claim, certificate, affidavit, or deposition, knowing the same to contain any fraudulent or fictitious statement or entry; or whoever shall enter into any agreement, combination, or conspiracy to defraud the Government of the United States, or any department or officer thereof, by obtaining or aiding to obtain the payment or allowance of any false or fraudulent claim; * * * shall be fined not more than five thousand dollars, or imprisoned not more than five years, or both. * * *

Act March 4, 1909, c. 321, s. 35, 35 Stat. 1095.

This is a section of "An act to codify, revise, and amend the penal laws of the United States," cited above, incorporating therein provisions of Rev. St. sec. 5438 as amended by act May 30, 1908, c. 235, 35 Stat. 555. Said Rev. St. sec. 5438 and act May 30, 1908, are expressly repealed by section 341 of this act.

Conspiracy to commit offense against or to defraud the United States.

SEC. 37. If two or more persons conspire either to commit any offense against the United States, or to defraud the United States in any manner or for any purpose, and one or more of such parties do any act to effect the object of the conspiracy, each of the parties to such conspiracy shall be fined not more than ten thousand dollars, or imprisoned not more than two years, or both.

Act March 4, 1909, c. 321, s. 37, 35 Stat. 1096.

This is a section of "An act to codify, revise, and amend the penal laws of the United States," cited above, incorporating therein the provisions of Rev. St. sec. 5440, as amended by act May 17, 1879, c. 8, 21 Stat. 4. Said Rev. Stat. sec. 5440 and act May 17, 1879, are expressly repealed by section 341 of this act.

Unlawfully taking or using papers relating to claims; punishment.

SEC. 40. Whoever shall take and carry away, without authority from the United States, from the place where it has been filed, lodged, or deposited, or where it may for the time being actually be kept by authority of the United States, any certificate, affidavit, deposition, written statement of facts, power of attorney, receipt, voucher, assignment, or other document, record, file, or paper, prepared, fitted, or intended to be used or presented in order to procure the payment of money from or by the United States, or any officer or agent thereof, or the allowance or payment of the whole or any part of any claim, account, or demand against the United States, whether the same has

or has not already been so used or presented, and whether such claim, account, or demand, or any part thereof, has or has not already been allowed or paid; or whoever shall present, use, or attempt to use, any such document, record, file, or paper so taken and carried away, in order to procure the payment of any money from or by the United States, or any officer or agent thereof, or the allowance or payment of the whole or any part of any claim, account, or demand against the United States, shall be fined not more than five thousand dollars, or imprisoned not more than ten years, or both.

Act March 4, 1909, c. 321, s. 40, 35 Stat. 1096.

This is a section of "An act to codify, revise, and amend the penal laws of the United States," cited above, incorporating therein Rev. St. sec. 5454, which section is expressly repealed by section 341 of this act.

Embezzling, etc., public moneys, etc.; punishment.

SEC. 47. Whoever shall embezzle, steal, or purloin any money, property, record, voucher, or valuable thing whatever, of the moneys, goods, chattels, records, or property of the United States, shall be fined not more than five thousand dollars, or imprisoned not more than five years, or both.

Act March 4, 1909, c. 321, s. 47, 35 Stat. 1097.

This is a section of "An act to codify, revise, and amend the penal laws of the United States," cited above, incorporating therein provisions of act March 3, 1875, c. 144, s. 1, 18 Stat. 479, which act is expressly repealed by section 341 of this act.

Receiving, etc., stolen public money, etc.; punishment.

SEC. 48. Whoever shall receive, conceal, or aid in concealing, or have, or retain in his possession with intent to convert to his own use or gain, any money, property, record, voucher, or valuable thing whatever, of the moneys, goods, chattels, records, or property of the United States, which has theretofore been embezzled, stolen, or purloined by any other person, knowing the same to have been so embezzled, stolen, or purloined, shall be fined not more than five thousand dollars, or imprisoned not more than five years, or both; and such person may be tried either before or after the conviction of the principal offender.

Act March 4, 1909, c. 321, s. 48, 35 Stat. 1098.

This is a section of "An act to codify, revise, and amend the penal laws of the United States," cited above, incorporating therein provisions of act March 3, 1875, c. 144, s. 2, 18 Stat. 479, which act is expressly repealed by section 341 of this act.

Requiring receipt for larger sums than are paid; punishment.

SEC. 86. Whoever being an officer, clerk, agent, employee, or other person charged with the payment of any appropriation made by Congress, shall pay to any clerk or other employee of the United States a sum less than that provided by law, and require such employee to receipt or give a voucher for an amount greater than that actually paid to and received by him, is guilty of embezzlement, and shall be fined in double the amount so withheld from any employee of the Government and imprisoned not more than two years.

Act March 4, 1909, c. 321, s. 86, 35 Stat. 1105.

This is a section of "An act to codify, revise, and amend the penal laws of the United States," cited above, incorporating therein the provisions of Rev. St. sec. 5483, which section is expressly repealed by section 341 of this act.

Disbursing officers unlawfully using, etc., public money; punishment.

SEC. 87. Whoever, being a disbursing officer of the United States, or a person acting as such, shall in any manner convert to his own use, or loan with or without interest, or deposit in any place or in any manner, except as authorized by law, any public money intrusted to him; or shall, for any purpose not prescribed by law, withdraw from the Treasurer or any assistant treasurer, or any authorized depository, or transfer, or apply, any portion of the public money intrusted to him, shall be deemed guilty of an embezzlement of the money so converted, loaned, deposited, withdrawn, transferred, or applied, and shall be fined not more than the amount embezzled, or imprisoned not more than ten years, or both.

Act March 4, 1909, c. 321, s. 87, 35 Stat. 1105.

This is a section of "An act to codify, revise, and amend the penal laws of the United States," cited above, incorporating therein the provisions of Rev. St. sec. 5488, which section is expressly repealed by section 341 of this act.

Custodians failing to safely keep, etc., public money; punishment.

SEC. 89. Every officer or other person charged by any Act of Congress with the safe-keeping of the public moneys, who shall loan, use, or convert to his own use, or shall deposit in any bank or exchange for other funds, except as specially allowed by law, any portion of the public moneys intrusted to him for safe-keeping, shall be guilty of embezzlement of the money so loaned, used, converted, deposited, or exchanged, and shall be fined in a sum equal to the amount of money so embezzled and imprisoned not more than ten years.

Act March 4, 1909, c. 321, s. 89, 35 Stat. 1105.

This is a section of "An act to codify, revise, and amend the penal laws of the United States," cited above, incorporating therein the provisions of Rev. St. sec. 5490, which section is expressly repealed by section 341 of this act.

Failure of officer to render accounts for public money; punishment.

SEC. 90. Every officer or agent of the United States who, having received public money which he is not authorized to retain as salary, pay, or emolument, fails to render his accounts for the same as provided by law shall be deemed guilty of embezzlement, and shall be fined in a sum equal to the amount of the money embezzled and imprisoned not more than ten years.

Act March 4, 1909, c. 321, s. 90, 35 Stat. 1105.

This is a section of "An act to codify, revise, and amend the penal laws of the United States," cited above, incorporating therein the provisions of Rev. St. sec. 5491, which section is expressly repealed by section 341 of this act.

Failure to deposit public money as required; punishment.

SEC. 91. Whoever, having money of the United States in his possession or under his control, shall fail to deposit it with the Treasurer, or some assistant treasurer, or some public depository of the United States, when required so to do by the Secretary of the Treasury, or the head of any other proper department, or by the accounting officers of the Treasury, shall be deemed guilty of embezzlement thereof, and shall be fined in a sum equal to the amount of money embezzled and imprisoned not more than ten years.

Act March 4, 1909, c. 321, s. 91, 35 Stat. 1105.

This is a section of "An act to codify, revise, and amend the penal laws of the United States," cited above, incorporating therein the provisions of Rev. St. sec. 5492, which section is expressly repealed by section 341 of this act.

Persons affected by five preceding sections.

SEC. 92. The provisions of the five preceding sections shall be construed to apply to all persons charged with the safe-keeping, transfer, or disbursement of the public money, whether such persons be indicted as receivers or depositaries of the same.

Act March 4, 1909, c. 321, s. 92, 35 Stat. 1105.

This is a section of "An act to codify, revise, and amend the penal laws of the United States," cited above, incorporating therein the provisions of Rev. St. sec. 5493, which section is expressly repealed by section 341 of this act.

Record evidence of embezzlement.

SEC. 93. Upon the trial of any indictment against any person for embezzling public money under any provision of the six preceding sections, it shall be sufficient evidence, prima facie, for the purpose of showing a balance against such person, to produce a transcript from the books and proceedings of the Treasury, as required in civil cases, under the provisions for the settlement of accounts between the United States and receivers of public money.

Act March 4, 1909, c. 321, s. 93, 35 Stat. 1105.

This is a section of "An act to codify, revise, and amend the penal laws of the United States," cited above, incorporating therein the provisions of Rev. St. sec. 5494, which section is expressly repealed by section 341 of this act.

Prima facie evidence of embezzlement.

SEC. 94. The refusal of any person, whether in or out of office, charged with the safe-keeping, transfer, or disbursement of the public money to pay any draft, order, or warrant, drawn upon him by the proper accounting officer of the Treasury, for any public money in his hands belonging to the United States, no matter in what capacity the same may have been received, or may be held, or to transfer or disburse any such money, promptly, upon the legal requirement of any authorized officer, shall be deemed, upon the trial of any indictment against such person for embezzlement, prima facie evidence of such embezzlement.

Act March 4, 1909, c. 321, s. 94, 35 Stat. 1106.

This is a section of "An act to codify, revise, and amend the penal laws of the United States," cited above, incorporating therein the provisions of Rev. St. sec. 5495, which section is expressly repealed by section 341 of this act.

Evidence of conversion.

SEC. 95. If any officer charged with the disbursement of the public moneys, accepts, receives, or transmits to the Treasury Department to be allowed in his favor any receipt or voucher from a creditor of the United States without having paid to such creditor in such funds as the officer received for disbursement, or in such funds as he may be authorized by law to take in exchange, the full amount specified in such receipt or voucher, every such act is an act of conversion by such officer to his own use of the amount specified in such receipt or voucher.

Act March 4, 1909, c. 321, s. 95, 35 Stat. 1106.

This is a section of "An act to codify, revise, and amend the penal laws of the United States," cited above, incorporating therein the provisions of Rev. St. sec. 5496, which section is expressly repealed by section 341 of this act.

Banker, etc., receiving unauthorized deposit of public money; punishment.

SEC. 96. Every banker, broker, or other person not an authorized depository of public moneys, who shall knowingly receive from any disbursing officer, * * * or other agent of the United States, any public money on deposit, or by way of loan or accommodation, with or without interest, or otherwise than in payment of a debt against the United States, or shall use, transfer, convert, appropriate, or apply any portion of the public money for any purpose not prescribed by law; and every president, cashier, teller, director, or other officer of any bank or banking association who shall violate any provision of this section is guilty of embezzlement of the public money so deposited, loaned, transferred, used, converted, appropriated, or applied, and shall be fined not more than the amount embezzled, or imprisoned not more than ten years, or both.

Act March 4, 1909, c. 321, s. 96, 35 Stat. 1106.

This is a section of "An act to codify, revise, and amend the penal laws of the United States," cited above, incorporating therein the provisions of Rev. St. sec. 5497, which section is expressly repealed by section 341 of this act.

Embezzlement by officer; punishment.

SEC. 97. * * * any officer of the United States, or any assistant of such officer, who shall embezzle or wrongfully convert to his own use any money or property which may have come into his possession or under his control in the execution of such office or employment, or under color or claim of authority as such officer or assistant, whether the same shall be the money or property of the United States or of some other person or party, shall, where the offense is not otherwise punishable by some statute of the United States, be fined not more than the value of the money and property thus embezzled or converted, or imprisoned not more than ten years, or both.

Act March 4, 1909, c. 321, s. 97, 35 Stat. 1106.

This is a section of "An act to codify, revise, and amend the penal laws of the United States," cited above, incorporating therein provisions of Rev. St. sec. 5497, as amended by act February 3, 1879, c. 42, 20 Stat. 280. Said Rev. St. sec. 5497 and amending act are expressly repealed by section 341 of this act.

Trading in public funds, etc.; punishment.

SEC. 103. Whoever, being an officer of the United States concerned in the collection or the disbursement of the revenues thereof, shall carry on any trade or business in the funds or debts of the United States, or of any State, or in any public property of either, shall be fined not more than three thousand dollars, or imprisoned not more than one year, or both, and be removed from office, and thereafter be incapable of holding any office under the United States.

Act March 4, 1909, c. 321, s. 103, 35 Stat. 1107.

This is a section of "An act to codify, revise, and amend the penal laws of the United States," cited above, incorporating therein the provisions of Rev. St. secs. 1788 and 1789, which sections are expressly repealed by section 341 of this act.

ACT MARCH 4, 1911, c. 270. An act to provide punishment for the falsification of accounts and the making of false reports by persons in the employ of the United States. (36 Stat. 1355.)

False entries in accounts or records, or false reports of public or trust moneys or securities; punishment.

That whoever, being an officer, clerk, agent, or other person holding any office or employment under the Government of the United States and, being charged with the duty of keeping accounts or records of any kind, shall, with intent to deceive, mislead, injure, or defraud the United States or any person, make in any such account or record any false or fictitious entry or record of any matter relating to or connected with his duties, or whoever with like intent shall aid or abet any such officer, clerk, agent, or other person in so doing; or whoever, being an officer, clerk, agent, or other person holding any office or employment under the Government of the United States and, being charged with the duty of receiving, holding, or paying over moneys or securities to, for or on behalf of the United States, or of receiving or holding in trust for any person any moneys or securities, shall, with like intent, make a false report of such moneys or securities, or whoever with like intent shall aid or abet any such officer, clerk, agent, or other person in so doing, shall be fined not more than five thousand dollars, or imprisoned not more than ten years, or both.

Act March 4, 1911, c. 270, 36 Stat. 1355.

PUBLIC PROPERTY.

REV. ST. SEC. 197.

Inventories of property.

SEC. 197. The Secretary of State, the Secretary of the Treasury, the Secretary of the Interior, the Secretary of War, the Secretary of the Navy, the Postmaster-General, the Attorney-General, and Commissioner of Agriculture shall keep, in proper books, a complete inventory of all the property belonging to the United States in the buildings, rooms, offices, and grounds occupied by them, respectively, and under their charge, adding thereto, from time to time, an account of such property as may be procured subsequently to the taking of such inventory, as well as an account of the sale or other disposition of any such property, except supplies of stationery and fuel in the public offices * * *.

Rev. St. sec. 197, as amended by act February 27, 1877, c. 69, s. 1. 19 Stat. 241.

ACT MARCH 29, 1894, c. 49. An act to regulate the making of property returns by officers of the Government. (28 Stat. 47.)

Certificates of loss, instead of returns, of public property, to be furnished.

That instead of forwarding to the accounting officers of the Treasury Department returns of public property entrusted to the possession of officers or agents, the Quartermaster-General, the Commissary-General of Subsistence, the Surgeon-General, the Chief of Engineers, the Chief of Ordnance, the Chief Signal Officer, the Paymaster-General of the Navy, the Commissioner of Indian Affairs, or

other like chief officers in any Department, by, through, or under whom stores, supplies, and other public property are received for distribution, or whose duty it is to receive or examine returns of such property, shall certify to the proper accounting officer of the Treasury Department, for debiting on the proper account, any charge against any officer or agent intrusted with public property, arising from any loss, accruing by his fault, to the Government as to the property so intrusted to him.

Act March 29, 1894, c. 49, s. 1, 28 Stat. 47.

Contents and effect of certificate.

SEC. 2. That said certificate shall set forth the condition of such officer's or agent's property returns, that it includes all charges made up to its date and not previously certified, that he has had a reasonable opportunity to be heard and has not been relieved of responsibility; the effect of such certificate, when received, shall be the same as if the facts therein set forth had been ascertained by the accounting officers of the Treasury Department in accounting.

Act March 29, 1894, c. 49, s. 2, 28 Stat. 47.

Manner of making returns or of ascertaining liability not affected.

SEC. 3. That the manner of making property returns to or in any administrative bureau or department, or of ascertaining liability for property, under existing laws and regulations, shall not be affected by this Act, except as provided in section one; but in all cases arising as to such property so intrusted the officer or agent shall have an opportunity to relieve himself from liability.

Act March 29, 1894, c. 49, s. 3, 28 Stat. 47.

Regulations by heads of departments.

SEC. 4. That the heads of the several Departments are hereby empowered to make and enforce regulations to carry out the provisions of this Act.

Act March 29, 1894, c. 49, s. 4, 28 Stat. 47.

Repeal.

SEC. 5. That all laws or parts of laws inconsistent with the provisions of this Act are hereby repealed.

Act March 29, 1894, c. 49, s. 5, 28 Stat. 47.

ACT AUGUST 24, 1912, c. 355. (37 Stat. 417.)

Use of furniture, although not corresponding to regulation plan.

And all furniture now owned by the United States in other public buildings and in buildings rented by the United States shall be used, so far as practicable, whether it corresponds with the present regulation plan for furniture or not.

Act August 24, 1912, c. 355, s. 1, 37 Stat. 433.

This is a provision of the sundry civil appropriation act for the fiscal year 1913, following an appropriation for furniture and repairs of same, carpets, and gas and electric-light fixtures in buildings under control of the Treasury Department. Similar provisions were contained in the similar appropriation acts for the fiscal years 1901 and thereafter.

ACT MAY 27, 1908, c. 200. (35 Stat. 317.)

Furniture in new buildings in accordance with plans and specifications.

The furniture for all new public buildings shall hereafter be procured in accordance with plans and specifications approved by the Supervising Architect of the Treasury.

Act May 27, 1908, c. 200, s. 1, 35 Stat. 327.

This is a provision following an appropriation for furniture, etc., in buildings under the control of the Treasury Department, in the sundry civil appropriation act for the fiscal year 1909, cited above.

ACT MARCH 3, 1875, c. 133. (18 Stat. 452.)

Payment for transportation of property of the United States over land-grant railroads, prohibited.

* * * That no money shall hereafter be paid to any railroad company for the transportation of any property * * * of the United States over any railroad which in whole or in part was constructed by the aid of a grant of public land on the condition that such railroad should be a public highway for the use of the Government of the United States free from toll or other charge, or upon any other conditions for the use of such road, for such transportation; * * *

Act March 3, 1875, c. 133, s. 1, 18 Stat. 453.

These are provisions of the Army appropriation act for the fiscal year 1876, cited above.

ACT JULY 5, 1884, c. 217. (23 Stat. 107.)

Quartermaster's Department to transport Government property.

* * * That hereafter the Quartermaster-General and his officers, under his instructions, wherever stationed, shall receive, transport, and be responsible for all property turned over to them, or any one of them, by the officers or agents of any Government survey, * * * for the civil or naval departments of the Government, in Washington or elsewhere, under the regulations governing the transportation of Army supplies, the amount paid for such transportation to be refunded or paid by the Bureau to which such property or stores pertain.

Act July 5, 1884, c. 217, 23 Stat. 111.

This is a proviso annexed to the Army appropriation act for the fiscal year 1885, cited above.

ACT MARCH 4, 1909, c. 321. (35 Stat. 1088.)

Robbery of personal property of the United States.

SEC. 46. Whoever shall rob another of any kind or description of personal property belonging to the United States, or shall feloniously take and carry away the same, shall be fined not more than five thousand dollars, or imprisoned not more than ten years, or both.

Act March 4, 1909, c. 321, s. 46, 35 Stat. 1097.

This is a section of "An act to codify, revise, and amend the penal laws of the United States," incorporating therein the provisions of Rev. St. sec. 5456, which section is expressly repealed by section 341 of this act.

Section 47 of this act providing punishment for the embezzlement, stealing, or purloining of any money, property, record, etc., of the United States, is set forth on p. 351, *ante*, under "Public Moneys."

ACT MARCH 3, 1879, c. 183. (20 Stat. 410.)

Arms and ammunition for protecting public property, etc.

That upon the request of the head of any department, the Secretary of War be, and he hereby is, authorized and directed to issue arms and ammunition whenever they may be required for the protection of the public money and property, and they may be delivered to any officer of the department designated by the head of such department, to be accounted for to the Secretary of War, and to be returned when the necessity for their use has expired. Arms and ammunition heretofore furnished to any department by the War Department for which the War Department has not been reimbursed, may be receipted for under the provisions of this act.

Act March 3, 1879, c. 183, 20 Stat. 412.

This is a provision of the deficiency appropriation act for the fiscal year 1879, cited above.

ACT MARCH 3, 1911, c. 209. (36 Stat. 1037.)

Subsistence supplies furnished by War Department to another department; price; payment.

* * * That hereafter when under the Army Regulations subsistence supplies are furnished to another bureau of the War Department, or to another executive department of the Government or employees thereof, payment therefor shall be made in cash by the proper disbursing officer of the bureau, office, or department concerned, or by the employee to whom the sale is made. * * * When the transaction is between the Subsistence Department and another executive department of the Government or employees thereof, the price to be charged shall include the contract or invoice price and ten per centum additional to cover wastage in transit, and the cost of transportation.

Act March 3, 1911, c. 209, 36 Stat. 1047.

This is a proviso annexed to the Army appropriation act for the fiscal year 1912, cited above.

ACT AUGUST 24, 1912, c. 391. (37 Stat. 569.)

Transfers or sales of ordnance or ordnance stores from War Department to another department; price; payment.

* * * That hereafter when authorized transfers or sales of ordnance or ordnance stores are made to another bureau of the War Department, or to another executive department of the Government, payment therefor shall be made by the proper disbursing officer of the bureau, office, or department concerned. * * * When the transaction is between the Ordnance Department and another executive department of the Government, the price to be charged shall include the cost price of the stores and the costs of inspection and transportation.

Act August 24, 1912, c. 391, 37 Stat. 589.

This is a proviso annexed to the Army appropriation act for the fiscal year 1913, cited above.

ACT AUGUST 5, 1909, c. 6. (36 Stat. 11.)

Books, etc., photographs, etc., and philosophical and scientific apparatus, etc., for institutions established for scientific, etc., purposes, exempt from duty.

That on and after the day following the passage of this Act, * * * the articles mentioned in the following paragraphs shall, when im-

ported into the United States or into any of its possessions (except the Philippine Islands and the islands of Guam and Tutuila), be exempt from duty:

* * * * * *

519. Books, maps, music, photographs, etchings, lithographic prints, and charts, specially imported, not more than two copies in one invoice, in good faith, for the use and by order of any society or institution incorporated or established solely for religious, philosophical, scientific, or literary purposes, or for the encouragement of the fine arts, or for the use and by order of any college, academy, school, or seminary of learning in the United States, or any state or public library, and not for sale, subject to such regulations as the Secretary of the Treasury shall prescribe.

* * * * * *

650. Philosophical and scientific apparatus, utensils, instruments, and preparations, including bottles and boxes containing the same, specially imported in good faith for the use and by order of any society or institution incorporated or established solely for religious, philosophical, educational, scientific, or literary purposes, or for the encouragement of the fine arts, or for the use and by order of any college, academy, school, or seminary of learning in the United States, or any state or public library, and not for sale, subject to such regulations as the Secretary of the Treasury shall prescribe.

Act August 5, 1909, c. 6, 36 Stat. 71, 74, 78.

These are provisions of "An act to provide revenue, equalize duties and encourage the industries of the United States, and for other purposes," cited above.

PUBLIC BUILDINGS AND GROUNDS.

ACT AUGUST 1, 1888, c. 728. An act to authorize condemnation of land for sites of public buildings, and for other purposes. (25 Stat. 357.)

That in every case in which the Secretary of the Treasury or any other officer of the Government has been, or hereafter shall be, authorized to procure real estate for the erection of a public building or for other public uses he shall be, and hereby is, authorized to acquire the same for the United States by condemnation, under judicial process, whenever in his opinion it is necessary or advantageous to the Government to do so, and the United States circuit or district courts of the district wherein such real estate is located, shall have jurisdiction of proceedings for such condemnation, and it shall be the duty of the Attorney-General of the United States, upon every application of the Secretary of the Treasury, under this act, or such other officer, to cause proceedings to be commenced for condemnation, within thirty days from the receipt of the application of the Department of Justice.

Act August 1, 1888, c. 728, s. 1, 25 Stat. 357.

ACT JUNE 25, 1910, c. 383. (36 Stat. 676.)

Plans, etc., for buildings for departments, etc.; preparation by Supervising Architect; reimbursement for cost of work.

SEC. 35. That hereafter the Secretary of the Treasury may, in his discretion, upon the request of the head of any other executive de-

partment, * * * cause the plans, drawings, designs, specifications, and estimates to be prepared in the office of the Supervising Architect, for any building or buildings for governmental purposes which the head of any other executive department * * * may be authorized to have constructed: *Provided*, That the proper appropriations for the support and maintenance of the office of the Supervising Architect be reimbursed for the cost of such work.

Act June 25, 1910, c. 383, s. 35, 36 Stat. 699.

ACT JUNE 23, 1874, c. 476. (18 Stat. 275.)

Selection of sites for public buildings.

SEC. 2. That in the selection of a site for any public building not yet commenced, reference shall be had to the interest and convenience of the public, as well as to the best interests of the Government; and the Secretary of the Treasury shall have power, and it shall be his duty, to set aside any selection which in his opinion has not been made solely with reference thereto. No expenditure shall be made upon any building, a site for which has been selected, and work upon which has not been commenced, until such of the persons who acted as commissioners in selecting such site shall make and file with the Secretary of the Treasury an oath or affirmation that he is not at the time of making the affidavit, and was not at the date of making the selection of such site, directly or indirectly interested in the property selected for the same, and a similar affidavit shall be made and filed by each and every person hereafter appointed as such commissioner, before any site shall be finally adopted. In either case a failure on the part of any commissioner to make and file such an affidavit shall render the selection void.

Act June 23, 1874, c. 476, s. 2, 18 Stat. 276.

ACT MARCH 2, 1889, c. 411. (25 Stat. 939.)

Plans not to be approved until selection of site; expenditures not to exceed appropriations.

That hereafter no plan shall be approved by the Secretary of the Treasury for any public building authorized by Congress to be erected, until after the site therefor shall have been finally selected; and he shall not authorize or approve of any plan for any such building which shall involve a greater expenditure in the completion of such building, including heating apparatus, elevators, and approaches thereto, than the amount that shall remain of the sum specified in the law authorizing the erection of such building excluding cost of site.

Act March 2, 1889, c. 411, s. 1, 25 Stat. 941.

ACT MAY 30, 1908, c. 228. (35 Stat. 520.)

Contracts for public buildings authorized within limit of cost fixed, although appropriations are in part only.

SEC. 34. That hereafter in all cases where appropriations are made in part only for carrying into effect the provisions of legislation authorizing the acquisition of lands for sites or for the enlargement of sites for public buildings, or for the erection or remodeling, extension, alteration, and repairs of public buildings, the Secretary of the Treasury, unless otherwise specifically directed, be, and he is hereby,

authorized and empowered to enter into contracts within the full limit of cost fixed by Congress therefor.

Act May 30, 1908, c. 228, s. 34, 35 Stat. 545.

ACT AUGUST 24, 1912, c. 355. (37 Stat. 417.)

No building on public grounds, etc., within District of Columbia without authority of Congress.

Hereafter there shall not be erected on any reservation, park, or public grounds, of the United States within the District of Columbia, any building or structure without express authority of Congress.

Act August 24, 1912, c. 355, s. 1, 37 Stat. 444.

This is a provision of the sundry civil appropriation act for the fiscal year 1913, cited above.

ACT AUGUST 5, 1882, c. 389. (22 Stat. 219.)

Rent of buildings in District of Columbia, instead of others rented.

* * * And where buildings are rented for public use in the District of Columbia, the executive departments are authorized, whenever it shall be advantageous to the public interest, to rent others in their stead: *Provided*, That no increase in the number of buildings now in use, nor in the amounts paid for rents, shall result therefrom.

Act August 5, 1882, c. 389, s. 1, 22 Stat. 241.

This is a provision of the legislative, executive, and judicial appropriation act for the fiscal year 1883, cited above.

Contracts for rent of buildings in the District of Columbia are not to be made until appropriations have been made therefor, by a provision of act March 3, 1877, c. 106, s. 1, set forth on p. 324, *ante*, under "Contracts."

Heads of departments are required to submit to Congress each year in the annual estimates statements of the buildings rented in the District of Columbia by their respective departments, by a provision of act March 3, 1883, c. 128, s. 1, set forth on p. 312, *ante*, under "Estimates and Reports."

The Secretary of the Treasury is required to submit to Congress each year in the Book of Estimates a statement of the buildings rented in the District of Columbia for the use of the Government, by act July 16, 1892, c. 196, s. 1, set forth on p. 312, *ante*, under "Estimates and Reports."

ACT MARCH 3, 1893, c. 211. (27 Stat. 675.)

Public buildings not to be draped in mourning.

SEC. 3. That hereafter no building owned, or used for public purposes, by the Government of the United States, shall be draped in mourning and no part of the public fund shall be used for such purpose.

Act March 3, 1893, c. 211, s. 3, 27 Stat. 715.

This section is a part of the legislative, executive, and judicial appropriation act for the fiscal year 1894, cited above.

ACT APRIL 28, 1902, c. 594. (32 Stat. 120.)

Use of public buildings for ceremonies of inauguration of President, or other public function, forbidden.

That hereafter no public building, or the approaches thereto, other than the Capitol building and the White House, in the District of Columbia, shall be used or occupied in any manner whatever in connection with ceremonies attending the inauguration of the President

of the United States, or other public function, except as may hereafter be expressly authorized by law.

Act April 28, 1902, c. 594, s. 1, 32 Stat. 152.

This is a provision of the legislative, executive, and judicial appropriation act for the fiscal year 1903, cited above.

ACT MARCH 3, 1883, c. 143. (22 Stat. 603.)

Shutting off flow of water in public buildings.

* * * all officers in charge of public buildings in the District of Columbia shall cause the flow of water in the buildings under their charge to be shut off from five o'clock post meridian to eight o'clock ante meridian: *Provided*, That the water in said public buildings is not necessarily in use for public business.

Act March 3, 1883, c. 143, 22 Stat. 615.

This is a provision of the sundry civil appropriation act for the fiscal year 1884, cited above.

ACT MARCH 3, 1877, c. 105. (19 Stat. 344.)

Report of consumption of gas in public buildings.

* * * That the superintendent of meters at the Capitol shall hereafter take the statement of the meters of the several Department buildings in the city of Washington and render to the proper accounting officers of the Treasury Department the consumption of gas each month in said buildings respectively.

Act March 3, 1877, c. 105, 19 Stat. 359.

This is a proviso annexed to the sundry civil appropriation act for the fiscal year 1878, cited above. A proviso in the same words accompanied the similar appropriation act for the preceding fiscal year.

ACT JULY 29, 1892, c. 320. (27 Stat. 322.)

Laws of District of Columbia for protection of property and preservation of peace and order, extended to buildings and grounds of United States in the District.

SEC. 15. That the provisions of the several laws and regulations within the District of Columbia for the protection of public or private property and the preservation of peace and order be, and the same are hereby, extended to all public buildings and public grounds belonging to the United States within the District of Columbia. And any person guilty of disorderly and unlawful conduct in or about the same, or who shall willfully injure the buildings or shrubs, or shall pull down, impair, or otherwise injure any fence, wall, or other inclosure, or shall injure any sink, culvert, pipe, hydrant, cistern, lamp, or bridge, or shall remove any stone, gravel, sand, or other property of the United States or any other part of the public grounds or lots belonging to the United States in the District of Columbia, shall, upon conviction thereof, be fined not more than fifty dollars.

Act July 29, 1892, c. 320, s. 15, 27 Stat. 325.

ACT MARCH 4, 1907, c. 2918. (34 Stat. 1295.)

Restriction of expenditures for production of electricity, from appropriations for buildings.

SEC. 9. No appropriation heretofore or hereafter made for the construction or equipment of any executive or municipal building in the District of Columbia shall be expended for the production of elec-

tricity for light or power, unless, in the judgment of the Secretary of the Treasury, such necessary electric current for light and power can not be obtained at a less cost.

Act March 4, 1907, c. 2918, s. 9, 34 Stat. 1371.

This section is a part of the sundry civil appropriation act for the fiscal year 1908, cited above.

PUBLIC PRINTING.

ACT JANUARY 12, 1895, c. 23. (28 Stat. 601.)

Department printing offices to be part of Government Printing Office; control and supervision of Public Printer; act not to apply to Weather Bureau printing office; requisitions for work.

SEC. 31. All printing offices in the Departments now in operation, or hereafter put in operation, by law, shall be considered a part of the Government Printing Office, and shall be under the control of the Public Printer, who shall furnish all presses, types, imposing stones, and necessary machinery and material for said offices from the general supplies of the Government Printing Office; and all paper and material of every kind used in the said offices for departmental work, except letter and note paper and envelopes, shall be supplied by the Public Printer; and all persons employed in said printing offices and binderies shall be appointed by the Public Printer, and be carried on his pay roll the same as employees in the main office, and shall be responsible to him: *Provided*, That the terms of this Act shall not apply to the office in the Weather Bureau, * * * but the Public Printer, with the approval of the Joint Committee on Printing, may abolish any of these excepted offices whenever in their judgment the economy of the public service would be thereby **advanced**.

All work done in the said offices shall be ordered on blanks prepared for that purpose by the Public Printer, which shall be numbered consecutively, and must be signed by someone designated by the head of the Department for which the work is to be done, who shall be held responsible for all work thus ordered, and who shall quarterly report to the head of the Department a classified statement of the work done and the cost thereof, which report shall be transmitted to the Public Printer in time for his annual report to Congress. The Public Printer shall show in detail, in his annual report, the cost of operating each departmental office.

Act January 12, 1895, c. 23, s. 31, 28 Stat. 605.

Form and style of work for departments.

SEC. 51. The forms and style in which the printing or binding ordered by any of the Departments shall be executed, and the material and the size of type to be used, shall be determined by the Public Printer, having proper regard to economy, workmanship, and the purposes for which the work is needed.

Act January 12, 1895, c. 23, s. 51, 28 Stat. 608.

Illustrations and maps in documents and reports; orders for printing to be acted upon within one year.

SEC. 80. No document or report to be illustrated or accompanied by maps shall be printed by the Public Printer until the illustrations

or maps designed therefor shall be ready for publication; and no order for public printing shall be acted upon by the Public Printer after the expiration of one year, unless the entire copy and illustrations for the work shall have been furnished within that period: *Provided*, This section shall not apply to orders heretofore made for the printing of a series of volumes on one subject.

Act January 12, 1895, c. 23, s. 80, 28 Stat. 621.

RES. JANUARY 15, 1908, No. 3. Joint resolution amending an act relative to the public printing and binding, approved March first, nineteen hundred and seven. (35 Stat. 565.)

Designation and binding of department publications ordered printed by Congress.

That publications ordered printed by Congress, or either House thereof, shall be in four series, * * * The publications in each series shall be consecutively numbered, the numbers in each series continuing in unbroken sequence throughout the entire term of a Congress, * * * *Provided*, That of the usual number, the copies which are intended for distribution to State and Territorial libraries and other designated depositories of all annual or serial publications originating in or prepared by an Executive Department, bureau, office, commission, or board shall not be numbered in the document or report series of either House of Congress, but shall be designated by title and bound as hereinafter provided, and the departmental edition, if any, shall be printed concurrently with the "usual number:" * * *

Res. January 15, 1908, No. 3, s. 1, 35 Stat. 565.

Previous similar provisions were contained in section 2, act March 1, 1907, c. 2284, 34 Stat. 1013, which section is expressly repealed by section 3 of this act.

ACT MARCH 1, 1907, c. 2284. (34 Stat. 1012.)

Departments submitting reports or documents in response to inquiries from Congress, to submit estimate of cost of printing.

Any Executive Department, bureau, board, or independent office of the Government submitting reports or documents in response to inquiries from Congress shall submit therewith an estimate of the probable cost of printing to the usual number. Nothing in this paragraph relating to estimates shall apply to reports or documents not exceeding fifty pages.

Act March 1, 1907, c. 2284, s. 1, 34 Stat. 1013.

ACT JANUARY 12, 1895, c. 23. (28 Stat. 601.)

No printing or binding unless authorized by law; style of binding for departments.

SEC. 86. No printing or binding shall be done at the Government Printing Office unless authorized by law. Binding for the Departments of the Government shall be done in plain sheep or cloth, except that record and account books may be bound in Russia leather, sheep fleshers, and skivers, when authorized by the head of a Department: *Provided*, The libraries of the several Departments * * * may have books for the exclusive use of said libraries bound in half Turkey, or material no more expensive.

Act January 12, 1895, c. 23, s. 86, 28 Stat. 622.

This section supersedes Rev. St. sec. 3785 and a provision of act June 20, 1878, c. 359, s. 1, 20 Stat. 207.

Printing, binding, and blank books for executive departments.

SEC. 87. All printing, binding, and blank books * * * for the Executive * * * Departments shall be done at the Government Printing Office, except in cases otherwise provided by law.

Act January 12, 1895, c. 23, s. 87, 28 Stat. 622.

This section supersedes Rev. St. sec. 3786.

ACT JUNE 28, 1902, c. 1301. (32 Stat. 419.)

Supplies for executive departments to be furnished by Public Printer.

The Public Printer is authorized hereafter to procure and supply, on the requisition of the head of any Executive Department or other Government establishment, complete manifold blanks, books, and forms, required in duplicating processes; also complete patented devices with which to file money-order statements, or other uniform official papers, and to charge such supplies to the allotment for printing and binding of the Department or Government establishment requiring the same.

Act June 28, 1902, c. 1301, s. 1, 32 Stat. 481.

This is a paragraph of the sundry civil appropriation act for the fiscal year 1903, cited above.

ACT JANUARY 12, 1895, c. 23. (28 Stat. 601.)

Appropriations for printing not to be exceeded; limitation on number of copies of reports, etc.; annual reports of heads of departments and chiefs of bureaus.

SEC. 89. No printing shall be done for the Executive Departments in any fiscal year in excess of the amount of the appropriation, and none shall be done without a special requisition, signed by the chief of the Department and filed with the Public Printer.

No report, publication, or document shall be printed in excess of the number of one thousand of each in any one fiscal year without authorization therefor by Congress, except that of the annual report of the head of the Department without appendices there may be printed in any one fiscal year not to exceed five thousand copies, bound in pamphlet form; and of the reports of chiefs of bureaus without appendices there may be printed in any one fiscal year not to exceed two thousand five hundred copies, bound in pamphlet form: * * *

Heads of Executive Departments shall direct whether reports made to them by bureau chiefs and chiefs of divisions shall be printed or not.

Act January 12, 1895, c. 23, s. 89, 28 Stat. 622.

A proviso of this section, here omitted, relating to the printing of the monthly crop report and other reports and bulletins of the Department of Agriculture, and maps, etc., and minor reports of the Weather Bureau, is set forth on p. 24, *ante*.

RES. MARCH 30, 1906, No. 13. Joint resolution to correct abuses in the public printing and to provide for the allotment of cost of certain documents and reports. (34 Stat. 825.)

Appropriations chargeable with cost of printing and binding for executive departments; estimate of cost of publications required by law, and application of appropriation thereto.

That hereafter, in the printing and binding of documents or reports emanating from the Executive Departments, bureaus, and independent offices of the Government, the cost of which is now charged to the

allotment for printing and binding for Congress, or to appropriations or allotments of appropriations other than those made to the Executive Departments, bureaus, or independent offices of the Government, the cost of illustrations, composition, stereotyping, and other work involved in the actual preparation for printing, apart from the creation of manuscript, shall be charged to the appropriation or allotment of appropriation for the printing and binding of the Department, bureau, or independent office of the Government in which such documents or reports originate; the balance of cost shall be charged to the allotment for printing and binding for Congress, and to the appropriation or allotment of appropriation of the Executive Department, bureau, or independent office of the Government, in proportion to the number delivered to each; the cost of any copies of such documents or reports distributed otherwise than through Congress, or the Executive Departments, bureaus, and independent offices of the Government, if such there be, shall be charged as heretofore: *Provided*, That on or before the first day of December in each fiscal year each Executive Department, bureau, or independent office of the Government to which an appropriation or allotment of appropriation for printing and binding is made, shall obtain from the Public Printer an estimate of the probable cost of all publications of such Department, bureau, or independent office now required by law to be printed, and so much thereof as would, under the terms of this resolution, be charged to the appropriation or allotment of appropriation of the Department, bureau, or independent office of the Government in which such publications originate, shall thereupon be set aside to be applied only to the printing and binding of such documents and reports, and shall not be available for any other purpose until all of such allotment of cost on account of such documents and reports shall have been fully paid.

This resolution shall be effective on and after July first, nineteen hundred and six.

Res. March 30, 1906, No. 13, 34 Stat. 825.

RES. MARCH 30, 1906, No. 14. Joint resolution to prevent unnecessary printing and binding and to correct evils in the present method of distribution of public documents. (34 Stat. 826.)

Documents and reports in two or more editions; requisitions therefor; number of copies limited to maximum authorized.

That the Joint Committee on Printing is hereby authorized and directed to establish rules and regulations, from time to time, which shall be observed by the Public Printer, whereby public documents and reports printed for Congress, or either House thereof, may be printed in two or more editions, instead of one, to meet the public requirements: *Provided*, That in no case shall the aggregate of said editions exceed the number of copies now authorized or which may hereafter be authorized: *And provided further*, That the number of copies of any public document or report now authorized to be printed or which may hereafter be authorized to be printed for any of the Executive Departments, or bureaus or branches thereof, or independent offices of the Government may be supplied in two or more editions, instead of one, upon a requisition on the Public Printer by the official head of such Department or independent office, but in no case shall the aggregate of said editions exceed the number of copies

now authorized, or which may hereafter be authorized: *Provided further*, That nothing herein shall operate to obstruct the printing of the full number of any document or report, or the allotment of the full quota to Senators and Representatives, as now authorized, or which may hereafter be authorized, when a legitimate demand for the full complement is known to exist.

Res. March 30, 1906, No. 14, 34 Stat. 826.

RES. MARCH 28, 1904, No. 11. Joint resolution authorizing the reprinting of certain documents to be sold by the superintendent of documents. (33 Stat. 584.)

Reprinting of public documents subject to approval of heads of departments.

* * * the superintendent of documents is hereby authorized to order reprinted, from time to time, such public documents as may be required for sale, such order for reprinting to be subject to the approval of the Secretary or head of the Department in which such public document shall have originated: *Provided*, That the appropriation for printing and binding shall be reimbursed for the cost of such reprints from the moneys received by the superintendent of documents from the sale of public documents.

Res. March 28, 1904, No. 11, 33 Stat. 584.

Act January 12, 1895, c. 23, s. 61, 28 Stat. 610, mentioned in the portion of this resolution here omitted, provides for the appointment of the superintendent of documents and the sale of public documents by him.

ACT JANUARY 12, 1895, c. 23. (28 Stat. 601.)

Form and style of annual reports of executive officers.

SEC. 91. The annual reports of executive officers shall be printed in the same type and form as the report of the head of the Department which it accompanies, unless otherwise ordered by the Joint Committee on Printing.

Act January 12, 1895, c. 23, s. 91, 28 Stat. 623.

Printing and binding for departments; certificate that work is necessary; estimate of cost; requisitions.

SEC. 93. When any Department * * * shall require printing or binding to be done, it shall be on certificate that such work be necessary for the public service; whereupon the Public Printer shall furnish an estimate of the cost by the principal items for such printing or binding so called for, after which requisitions shall be made upon him therefor by the head of such Department, * * * and the Public Printer shall place the cost thereof to the debit of such Department in its annual appropriation for printing and binding.

Act January 12, 1895, c. 23, s. 93, 28 Stat. 623.

This section supersedes Rev. St. sec. 3789 and act June 20, 1878, c. 359, s. 1, 20 Stat. 206.

Restrictions on printing; exclusion of unnecessary matter from annual reports of executive officers.

SEC. 94. No head of any Executive Department, or of any bureau, branch, or office of the Government, shall cause to be printed, nor shall the Public Printer print, any document or matter except that which is authorized by law and necessary to the public business; and executive officers, before transmitting their annual reports, shall carefully examine the same and all accompanying documents, and ex-

clude therefrom all matter, including engravings, maps, drawings, and illustrations, except such as they shall certify in their letters transmitting such reports are necessary and relate entirely to the transaction of the public business.

Act January 12, 1895, c. 23, s. 94, 28 Stat. 623.

ACT MARCH 3, 1905, c. 1483. (33 Stat. 1156.)

Restrictions on use of appropriations made for printing and binding, for illustrations, etc.

* * * That hereafter no part of the appropriations made for printing and binding shall be used for any illustration, engraving, or photograph * * * in any document or report of any executive department or other Government establishment until the head of the executive department or Government establishment shall certify in a letter transmitting such report that the illustration is necessary and relates entirely to the transaction of public business.

Act March 3, 1905, c. 1483, s. 1, 33 Stat. 1213.

This is a proviso of the sundry civil appropriation act for the fiscal year 1906, cited above.

ACT MARCH 3, 1905, c. 1484. (33 Stat. 1214.)

Restrictions on printing for executive departments.

Hereafter no book or document not having to do with the ordinary business transactions of the Executive Departments shall be printed on the requisition of any Executive Department or unless the same shall have been expressly authorized by Congress.

Act March 3, 1905, c. 1484, s. 1, 33 Stat. 1249.

This is a provision of the deficiency appropriation act for the fiscal year 1905, cited above.

PUBLIC DOCUMENTS.

ACT JANUARY 12, 1895, c. 23. (28 Stat. 601.)

Department publications for distribution.

SEC. 58. * * * of all publications of the Executive Departments not intended for their especial use, but made for distribution, five hundred copies shall be at once delivered to the superintendent of documents for distribution to designated depositories and State and Territorial libraries.

Act January 12, 1895, c. 23, s. 58, 28 Stat. 610.

Sale and distribution of documents by superintendent of documents.

SEC. 61. * * * whenever any officer of the Government having in his charge documents published for sale shall desire to be relieved of the same, he is hereby authorized to turn them over to the superintendent of documents, who shall receive and sell them under the provisions of this section. * * * He shall have general supervision of the distribution of all public documents, and to his custody shall be committed all documents subject to distribution, excepting those printed for the special official use of the Executive Departments, which shall be delivered to said Departments, * * *

Act January 12, 1895, c. 23, s. 61, 28 Stat. 610.

The work of distribution of publications in the departments is transferred to the Public Printer by provisions of act August 23, 1912, c. 350, set forth on p. 370, *post*.

Index of public documents; heads of departments to furnish superintendent of documents copies of department documents.

SEC. 62. The superintendent of documents shall, at the close of each regular session of Congress, prepare and publish a comprehensive index of public documents, beginning with the Fifty-third Congress, upon such plan as shall be approved by the Joint Committee on Printing; and the Public Printer shall, immediately upon its publication, deliver to him a copy of each and every document printed by the Government Printing Office; and the head of each of the Executive Departments, bureaus, and offices of the Government shall deliver to him a copy of each and every document issued or published by such Department, bureau, or office not confidential in its character. * * *

Act January 12, 1895, c. 23, s. 62, 28 Stat. 610.

Delivery of documents in charge of departments, to superintendent of documents.

SEC. 67. All documents at present remaining in charge of the several Executive Departments, bureaus, and offices of the Government not required for official use shall be delivered to the superintendent of documents, and hereafter all public documents accumulating in said Departments, bureaus, and offices not needed for official use shall be annually turned over to the superintendent of documents for distribution or sale.

Act January 12, 1895, c. 23, s. 67, 28 Stat. 611.

Monthly catalogue of Government publications.

SEC. 69. A catalogue of Government publications shall be prepared by the superintendent of documents on the first day of each month, which shall show the documents printed during the preceding month, where obtainable, and the price thereof. Two thousand copies of such catalogue shall be printed in pamphlet form for distribution.

Act January 12, 1895, c. 23, s. 69, 28 Stat. 612.

ACT FEBRUARY 25, 1903, c. 755. (32 Stat. 854.)

Transfer of books, etc., from departments to Library of Congress and Public Library of District of Columbia.

The head of any Executive department or bureau or any commission of the Government is hereby authorized from time to time to turn over to the Librarian of Congress, for the use of the Library of Congress, any books, maps, or other material in the library of the department, bureau, or commission no longer needed for its use, and in the judgment of the Librarian of Congress appropriate to the uses of the Library of Congress.

Any books of a miscellaneous character no longer required for the use of such department, bureau, or commission, and not deemed an advisable addition to the Library of Congress, shall, if appropriate to the uses of the Free Public Library of the District of Columbia, be turned over to that library for general use as a part thereof.

Act February 23, 1903, c. 755, s. 1, 32 Stat. 865.

RES. MARCH 2, 1901, No. 16. (31 Stat. 1464.)

Publications by departments printed elsewhere than at Government Printing Office.

SEC. 3. That of any publication printed at the Government expense by direction of any Department, commission, bureau, or officer of the

Government elsewhere than at the Government Printing Office there shall be supplied to the Library of Congress for its own use and for international exchange sixty-two copies, except as such number shall be enlarged to not exceeding one hundred copies by request of the Joint Committee on the Library.

Res. March 2, 1901, No. 16, s. 3, 31 Stat. 1465.

ACT JANUARY 12, 1895, c. 23. (28 Stat. 601.)

Exchange of surplus documents.

SEC. 95. Heads of Departments are authorized to exchange surplus documents for such other documents and books as may be required by them, when the same can be done to the advantage of the public service.

Act January 12, 1895, c. 23, s. 95, 28 Stat. 623.

Departmental distribution of documents.

SEC. 92. Government publications printed for or received by the Executive Departments, whether for official use or for distribution, shall be distributed by a competent person detailed to such duty in each Department by the head thereof. He shall keep an account in detail of all publications received and distributed by him. He shall prevent duplication, and make detailed report to the head of the Department, who shall transmit the same annually to Congress.

Act January 12, 1895, c. 23, s. 92, 28 Stat. 623.

The work of distribution of publications in the departments is transferred to the Public Printer by provisions of act August 23, 1912, c. 350, set forth below.

ACT AUGUST 23, 1912, c. 350. (37 Stat. 360.)

No expenditures for distribution of publications by executive departments, except maps, weather reports, etc.; Public Printer to perform the work; departments to furnish mailing lists and franks; Public Printer to furnish copies of publications in accordance with law or instructions of heads of departments; provisions not to apply to departmental orders, instructions, etc., and circulars.

SEC. 8. That no money appropriated by this or any other Act shall be used after the first day of October, nineteen hundred and twelve, for services in any executive department or other Government establishment at Washington, District of Columbia, in the work of addressing, wrapping, mailing, or otherwise dispatching any publication for public distribution, except maps, weather reports, and weather cards issued by an executive department or other Government establishment at Washington, District of Columbia, or for the purchase of material or supplies to be used in such work; and on and after October first, nineteen hundred and twelve, it shall be the duty of the Public Printer to perform such work at the Government Printing Office. Prior to October first, nineteen hundred and twelve, each executive department and other Government establishment at Washington, District of Columbia, shall transfer to the Public Printer such machines, equipment, and materials as are used in addressing, wrapping, mailing, or otherwise dispatching publications; and each head of such executive department and other Government establishment at Washington, District of Columbia, shall furnish from time to time to the Public Printer mailing lists, in convenient form, and changes therein, or franked slips, for use in the public distribution of publica-

tions issued by such department or establishment; and the Public Printer shall furnish copies of any publication only in accordance with the provisions of law or the instruction of the head of the department or establishment issuing the publication. The employment of all persons in the several executive departments and other Government establishments at Washington, District of Columbia, wholly in connection with the duties herein transferred to the Public Printer, or whose services can be dispensed with or devolved upon another because of such transfer, shall cease and determine on or before the first day of October, nineteen hundred and twelve, and their salaries or compensation shall lapse for the remainder of the fiscal year nineteen hundred and thirteen and be covered into the Treasury. A detailed statement of all machines, equipment, and material transferred to the Government Printing Office by operation of this provision and of all employments discontinued shall be submitted to Congress at its next session by the head of each executive department and other Government establishments at Washington, District of Columbia, in the annual estimates of appropriations: *Provided*, That nothing in this section shall be construed as applying to orders, instructions, directions, notices, or circulars of information, printed for and issued by any of the executive departments or other Government establishments or to the distribution of public documents by Senators or Members of the House of Representatives or to the folding rooms and document rooms of the Senate or House of Representatives.

Act August 23, 1912, c. 350, s. 8, 37 Stat. 414.

These are provisions of the legislative, executive, and judicial appropriation act for the fiscal year 1913, cited above.

ACT JANUARY 12, 1895, c. 23. (28 Stat. 601.)

Inserting "compliments" forbidden.

No report, document, or publication of any kind distributed by or from an Executive Department or bureau of the Government shall contain any notice that the same is sent with "the compliments" of an officer of the Government, or with any special notice that it is so sent, except that notice that it has been sent, with a request for an acknowledgment of its receipt, may be given.

Act January 12, 1895, c. 23, s. 73. 28 Stat. 620.

Libraries of executive departments constituted depositories of Government publications.

SEC. 98. The libraries of the eight Executive Departments * * * are hereby constituted designated depositories of Government publications, and the superintendent of documents shall supply one copy of said publications, in the same form as supplied to other depositories, to each of said libraries.

Act January 12, 1895, c. 23, s. 98, 28 Stat. 624.

RES. AUGUST 3, 1882, No. 63. Joint resolution requiring the Public Printer to publish certain decisions of the First Comptroller of the Treasury Department. (22 Stat. 391.)

Decisions of Comptroller of Treasury; distribution.

That the Public Printer be, and is, required to print not more than one volume each year of the decisions and opinions of the First Comptroller of the Treasury Department, with such explanatory matter

as he may furnish, * * * and for distribution in the manner provided in section seven of the act of June twentieth, eighteen hundred and seventy-four (eighteenth Statutes at Large, page one hundred and thirteen), providing for the publication of the statutes, one-half the number therein mentioned.

Res. August 3, 1882, No. 63, 22 Stat. 391.

Act June 20, 1874, c. 333, s. 7, 18 Stat. 113, mentioned in this provision, relates to the preparation and distribution of the Statutes at Large by the Secretary of State, and provides that he shall distribute certain numbers of copies, or as many thereof as may be needed, to various officials, Government establishments, and executive departments, allotting "to the Department of Agriculture, five copies."

ACT MARCH 3, 1911, c. 231. (36 Stat. 1087.)

Court of Claims reports; distribution.

SEC. 143. * * * At the end of every term of the court he [the clerk of the Court of Claims] shall transmit a copy of its decisions to the heads of Departments; * * * to the chiefs of bureaus, and to other officers charged with the adjustment of claims against the United States.

Act March 3, 1911, c. 231, s. 143, 36 Stat. 1136.

This section incorporates therein the provisions of Rev. St. sec. 1057, which section is expressly repealed by section 297 of this act.

Supreme Court reports and digests thereof; distribution.

SEC. 227. The Attorney General shall distribute copies of the Supreme Court reports as follows: * * * the Secretary of Agriculture, * * * each Assistant Secretary of each Executive Department, * * * the Forester, Department of Agriculture, * * * and the heads of such other executive offices as may be provided by law, of equal grade with any of said offices, each one copy; * * * He shall also distribute one complete set of said reports, and one set of the digests thereof, to such executive officers as are entitled to receive said reports under this section and have not already received them, * * * Such reports and digest shall remain the property of the United States, and shall be preserved by the officers above named and by them turned over to their successors in office.

Act March 3, 1911, c. 231, s. 227, 36 Stat. 1154.

ACT JANUARY 12, 1895, c. 23. (28 Stat. 601.)

Congressional Record; distribution.

The Public Printer shall furnish the Congressional Record as follows and shall furnish gratuitously no others in addition thereto: * * * To the library of each of the eight Executive Departments, * * * one bound copy. * * *

Act January 12, 1895, c. 23, s. 73, 28 Stat. 617.

Examination of Congressional Record; departments to order publications required; limit bills and resolutions for departments.

SEC. 90. The heads of Executive Departments, and such executive officers as are not connected with the Departments, respectively, shall cause daily examination of the Congressional Record for the purpose of noting documents, reports, and other publications of interest to their Departments, and shall cause an immediate order to be sent to the Public Printer for the number of copies of such publications re-

quired for official use, not to exceed, however, the number of bureaus in the Department and divisions in the office of the head thereof. The Public Printer shall send to each Executive Department and to each executive office not connected with the Departments, as soon as printed, five copies of all bills and resolutions, * * *. When the head of a Department desires a greater number of any class of bills or resolutions for official use, they shall be furnished by the Public Printer on requisition promptly made.

Act January 12, 1895, c. 23, s. 90, 28 Stat. 623.

Pamphlet copies of statutes; distribution.

The Secretary of State shall cause to be edited, printed, published, and distributed pamphlet copies of the statutes of the present and each future session of Congress to the officers and persons hereinafter provided for; said distribution shall be made at the close of every session of Congress, as follows: * * * to the Department of Agriculture, fifty copies; * * *

Act January 12, 1895, c. 23, s. 73, 28 Stat. 614.

Copies of the Statutes at Large; distribution.

After the close of each Congress the Secretary of State shall have edited, printed, and bound a sufficient number of the volumes containing the Statutes at Large enacted by that Congress to enable him to distribute copies, or as many thereof as may be needed, as follows: * * * to the Department of Agriculture, fifty copies; * * *

Act January 12, 1895, c. 23, s. 73, 28 Stat. 615.

ACT MARCH 4, 1907, c. 2919. (34 Stat. 1371.)

Index to Statutes at Large; distribution.

The Public Printer shall cause the new index to the Statutes at Large, now being prepared in accordance with the plan approved by the Judiciary Committees of both Houses of Congress, to be printed, bound and distributed in the manner now provided by law for the printing, binding and distribution of the United States Statutes at Large.

Act March 4, 1907, c. 2919, s. 1, 34 Stat. 1398.

Provisions for the printing, binding, and distribution of the Statutes at Large are contained in act January 12, 1895, c. 23, s. 73, set forth above.

ACT JANUARY 12, 1895, c. 23. (28 Stat. 601.)

Revised Statutes and supplements; distribution.

The Secretary of State shall cause to be printed and bound at the Government Printing Office as many volumes of the Revised Statutes of the United States, and the Supplement to the Revised Statutes of the United States, volume one, second edition, eighteen hundred and seventy-four to eighteen hundred and ninety-one, authorized under the Act of April ninth, eighteen hundred and ninety, as may be needed for distribution to designated depositories, State and Territorial libraries and to United States Courts not already supplied, and for sale by his office at the cost thereof.

Act January 12, 1895, c. 23, s. 73, 28 Stat. 614.

Res. May 22, 1878, No. 22, 22 Stat. 251, providing for the distribution of the second edition of the Revised Statutes, allots "to the Department of Agriculture, five copies."

Res. June 7, 1880, No. 44, provides for a supplement to be "distributed as provided for the distribution of the Revised Statutes" by Res. May 22, 1878, No. 22, "and such additional copies, on the order of the Secretary of State, as may be necessary from time to time * * * to supply deficiencies and offices newly created."

Act April 9, 1890, c. 73, 26 Stat. 50, mentioned above, provides for a supplement to be distributed to Members of Congress for distribution by them to "the departments, libraries, public officers and others, the same number to each as heretofore provided for the distribution of the Revised Statutes of the United States."

Further provisions for the publication and distribution of supplements of the Revised Statutes are contained in act February 27, 1893, c. 167, s. 1, 27 Stat. 477, act June 4, 1897, c. 2, s. 1, 30 Stat. 30, and act March 3, 1901, c. 853, s. 1, 31 Stat. 1162.

Congressional Directory; distribution.

There shall be prepared under the direction of the Joint Committee on Printing a Congressional Directory, of which there shall be three editions during each long session and two editions during each short session of Congress. The first edition shall be distributed to Senators, Representatives, Delegates, the principal officers of Congress, and heads of Departments on the first day of the session, and shall be ready for distribution to others within one week thereafter. The number and distribution of such Directory shall be under the control of the Joint Committee on Printing. * * *

Act January 12, 1895, c. 23, s. 73, 28 Stat. 617.

Official Register; distribution.

The Secretary of the Interior shall cause the Official Register to be edited, indexed, and published by the chief clerk of the Interior Department, on the first day of December following the first day of July above mentioned.

Of the Official Register three thousand copies shall be printed and bound, which shall be distributed as follows: * * * to the Department of Agriculture, fifteen copies; * * *

Act January 12, 1895, c. 23, s. 73, 28 Stat. 619.

Other provisions of this section relating to the preparation and contents of the Official Register, are set forth on p. 306, *ante*, under "Offices, Clerks, and Employees."

The Director of the Census is required to edit, index, and publish the Official Register, and the provision above set forth, imposing that duty upon the Department of the Interior is repealed, by a provision of act June 7, 1906, c. 3048, set forth on p. 306, *ante*, under "Officers, Clerks, and Employees."

Specifications and drawings of patents; distribution.

The Commissioner of Patents, upon the requisition of the Secretary of the Interior, is authorized to continue the printing of the following: * * * Copies of the specifications and drawings of each patent issued, bound in monthly volumes, one copy for each of the Executive Departments of the Government, * * * which copies shall be certified under the hand of the Commissioner and seal of the Patent Office, and shall not be taken from the depositories for any other purpose than to be used as evidence; * * *

Act January 12, 1895, c. 23, s. 73, 28 Stat. 619.

Coast and Geodetic Survey charts; distribution.

SEC. 76. The charts published by the Coast and Geodetic Survey shall be sold at cost of paper and printing as nearly as practicable;

and there shall be no free distribution of such charts except to the Departments and officers of the United States requiring them for public use; * * *

Act January 12, 1895, c. 23, s. 76, 28 Stat. 620.

RES. FEBRUARY 18, 1897, No. 13. Joint resolution providing for the distribution of the maps and atlases of the United States Geological Survey. (29 Stat. 701.)

Topographic and geologic maps and atlases; distribution.

That the Director of the Geological Survey be, and is hereby, authorized and directed, on the approval of the Secretary of the Interior, to dispose of the topographic and geologic maps and atlases of the United States, made and published by the Geological Survey, at such prices and under such regulations as may from time to time be fixed by him and approved by the Secretary of the Interior; and that a number of copies of each map or atlas, * * * shall be distributed gratuitously among * * * Departments of our own Government, to literary and scientific associations, and to such educational institutions or libraries as may be designated by the Director of the Survey and approved by the Secretary of the Interior.

Res. February 18, 1897, No. 13, s. 1, 29 Stat. 701.

ACT JANUARY 12, 1895, c. 23. (28 Stat. 601.)

Ownership of publications furnished officers for official use; free use of public actions in depositories.

SEC. 74. Government publications furnished to judicial and executive officers of the United States for their official use shall not become the property of these officers, but on the expiration of their official term shall be by them delivered to their successors in office and all Government publications delivered to designated depositories or other libraries shall be for public use without charge.

Act January 12, 1895, c. 23, s. 74, 28 Stat. 620.

REV. ST. SEC. 1779.

Restriction upon payments for newspapers, etc.

SEC. 1779. No executive officer, other than the heads of Departments, shall apply more than thirty dollars, annually, out of the contingent fund under his control, to pay for newspapers, pamphlets, periodicals, or other books or prints not necessary for the business of his office.

REV. ST. SEC. 192.

Limit on expenditures for newspapers; preservation of files.

SEC. 192. The amount expended in any one year for newspapers, for any Department, * * * shall not exceed one hundred dollars. And all newspapers purchased with the public money for the use of either of the Departments must be preserved as files for such Department.

ACT JUNE 22, 1906, c. 3514. (34 Stat. 389.)

Repeal, in part, of Rev. St. sec. 192.

SEC. 7. So much of section one hundred and ninety-two of the Revised Statutes of the United States as requires newspapers purchased

for the use of the Executive Departments to be preserved for the permanent files of such Departments be, and the same is hereby, repealed.

Act June 22, 1906, c. 3514, s. 7, 34 Stat. 449.

This section is a part of the legislative, executive, and judicial appropriation act for the fiscal year 1907, cited above.

ACT FEBRUARY 16, 1889, c. 171. An act to authorize and provide for the disposition of useless papers in the Executive Departments. (25 Stat. 672.)

Accumulation of useless papers in departments; report to Congress; examination by committee; sale or other disposition.

That whenever there shall be in any one of the Executive Departments of the Government an accumulation of files of papers, which are not needed or useful in the transaction of the current business of such Department and have no permanent value or historical interest, it shall be the duty of the head of such Department to submit to Congress a report of that fact, accompanied by a concise statement of the condition and character of such papers. And upon the submission of such report, it shall be the duty of the presiding officer of the Senate to appoint two Senators, and of the Speaker of the House of Representatives to appoint two Representatives, and the Senators and Representatives so appointed shall constitute a joint committee, to which shall be referred such report, with the accompanying statement of the condition and character of such papers, and such joint committee shall meet and examine such report and statement and the papers therein described, and submit to the Senate and House, respectively, a report of such examination and their recommendation. And if they report that such files of papers, or any part thereof, are not needed or useful in the transaction of the current business of such Department, and have no permanent value or historical interest, then it shall be the duty of such head of the Department to sell as waste paper, or otherwise dispose of such files of papers upon the best obtainable terms after due publication of notice inviting proposals therefor, and receive and pay the proceeds thereof into the Treasury of the United States, and make report thereof to Congress.

Act February 16, 1889, c. 171, 25 Stat. 672.

This act is amended and its provisions extended by a provision of act March 2, 1895, c. 189, set forth below.

The Secretary of Agriculture is authorized to sell or otherwise dispose of the accumulation of files and obsolete or worthless documents and publications, by a provision of act March 4, 1907, c. 2907, set forth on p. 23, *ante*.

ACT MARCH 2, 1895, c. 189. (28 Stat. 910.)

Accumulation of useless papers in department buildings.

That the Act entitled "An Act to authorize and provide for the disposition of useless papers in the Executive Departments," approved February sixteenth, eighteen hundred and eighty-nine, be, and the same is hereby, amended so as to include in its provisions any accumulation of files of papers of a like character therein described now or hereafter in the various public buildings under the control of the several Executive Departments of the Government.

Act March 2, 1895, c. 189, 28 Stat. 933.

This is a provision of the sundry civil appropriation act for the fiscal year 1896, cited above.

Act February 16, 1889, c. 171, mentioned and amended by this provision, is set forth above. See note under that act relating to disposal of accumulation of files, etc., in the Department of Agriculture.

ACT JUNE 19, 1878, c. 317. An act to protect public libraries in the District of Columbia, and for other purposes. (20 Stat. 171.)

Injuring or destroying, stealing, etc., books, etc.; punishment.

That any person who shall steal, wrongfully deface, injure, mutilate, tear, or destroy any book, pamphlet, or manuscript, or any portion thereof, belonging to the Library of Congress, or to any public library in the District of Columbia, whether the property of the United States or of any individual or corporation in said District, or who shall steal, wrongfully deface, injure, mutilate, tear, or destroy any book, pamphlet, document, manuscript, print, engraving, medal, newspaper, or work of art, the property of the United States, shall be held guilty of a misdemeanor, and, on conviction thereof, shall, when the offense is not otherwise punishable by some statute of the United States, be punished by a fine of not less than ten dollars nor more than one thousand dollars, and by imprisonment for not less than one nor more than twelve months, or both, for every such offense.

Act June 19, 1878, c. 317, 20 Stat. 171.

ACT MARCH 4, 1909, c. 321. (35 Stat. 1083.)

Stealing, injuring, or destroying, etc., records, books, etc., of the United States.

SEC. 128. Whoever shall wilfully and unlawfully conceal, remove, mutilate, obliterate, or destroy, or attempt to conceal, remove, mutilate, obliterate, or destroy, or, with intent to conceal, remove, mutilate, obliterate, destroy, or steal, shall take and carry away any record, proceeding, map, book, paper, document, or other thing, filed or deposited with any clerk or officer of any court of the United States, or in any public office, or with any judicial or public officer of the United States, shall be fined not more than two thousand dollars, or imprisoned not more than three years, or both.

Act March 4, 1909, c. 321, s. 128, 35 Stat. 1111.

This is a section of "An act to codify, revise, and amend the penal laws of the United States," cited above, incorporating therein the provisions of Rev. St. sec. 5403, which section is expressly repealed by section 341 of this act.

Unlawfully removing, injuring, or destroying records, books, etc., of United States, by officer in charge thereof.

SEC. 129. Whoever, having the custody of any record, proceeding, map, book, document, paper, or other thing specified in the preceding section, shall wilfully and unlawfully conceal, remove, mutilate, obliterate, falsify, or destroy any such record, proceeding, map, book, document, paper, or thing, shall be fined not more than two thousand dollars, or imprisoned not more than three years, or both; and shall moreover forfeit his office and be forever afterward disqualified from holding any office under the Government of the United States.

Act March 4, 1909, c. 321, s. 129, 35 Stat. 1112.

This is a section of "An act to codify, revise, and amend the penal laws of the United States," cited above, incorporating therein the provisions of Rev. St. sec. 5408, which section is expressly repealed by section 341 of this act.

REV. ST. SEC. 882.

Copies of department books, records, papers, or documents as evidence.

SEC. 882. Copies of any books, records, papers, or documents in any of the Executive Departments, authenticated under the seals of such Departments, respectively, shall be admitted in evidence equally with the originals thereof.

ACT MARCH 4, 1909, c. 320. (35 Stat. 1075.)

Copyright not to subsist in works in public domain or in Government publications; effect of publication by Government of copyrighted material.

SEC. 7. That no copyright shall subsist in the original text of any work which is in the public domain, * * * or in any publication of the United States Government, or any reprint, in whole or in part, thereof: *Provided, however,* That the publication or republication by the Government, either separately or in a public document, of any material in which copyright is subsisting shall not be taken to cause any abridgment or annulment of the copyright or to authorize any use or appropriation of such copyright material without the consent of the copyright proprietor.

Act March 4, 1909, c. 320, s. 7, 35 Stat. 1077.

FRANKS AND FRANKING.

ACT MARCH 3, 1877, c. 103. (19 Stat. 319.)

Letters, packages, etc., on official business transmitted free; endorsement on official envelopes.

SEC. 5. That it shall be lawful to transmit through the mail, free of postage, any letters, packages, or other matters relating exclusively to the business of the Government of the United States: *Provided,* That every such letter or package to entitle it to pass free shall bear over the words "Official business" an endorsement showing also the name of the Department, and, if from a bureau or office, the names of the Department and bureau or office, as the case may be, whence transmitted. * * *

Act March 3, 1877, c. 103, s. 5, 19 Stat. 335.

The last part of this section, here omitted, prohibiting the use of official envelopes to avoid payment of postage on private mail matter, and providing punishment therefor, is incorporated in act March 4, 1909, c. 321, s. 227, set forth below.

Providing official envelopes; endorsement of penalty thereon.

SEC. 6. That for the purpose of carrying this act into effect, it shall be the duty of each of the Executive Departments of the United States to provide for itself and its subordinate offices the necessary envelopes: and in addition to the endorsement designating the Department in which they are to be used, the penalty for the unlawful use of these envelopes shall be stated thereon.

Act March 3, 1877, c. 103, s. 6, 19 Stat. 336.

This and the preceding section are parts of "An act establishing post-roads and for other purposes," cited above.

ACT MARCH 4, 1909, c. 321. (35 Stat. 1088.)

Fraudulent use of official envelopes; penalty.

SEC. 227. Whoever shall make use of any official envelope, label, or indorsement authorized by law, to avoid the payment of postage or

registry fee on his private letter, packet, package, or other matter in the mail, shall be fined not more than three hundred dollars.

Act March 4, 1909, c. 321, s. 227, 35 Stat. 1134.

This is a section of "An act to codify, revise, and amend the penal laws of the United States," cited above, incorporating therein provisions of act March 3, 1877, c. 103, s. 5, which provisions are expressly repealed by section 341 of this act.

ACT JULY 5, 1884, c. 234. (23 Stat. 156.)

Letters, packages, etc., transmitted free; endorsements on official envelopes, enclosure of penalty envelopes, with return address; official mail matter registered free.

SEC. 3. That section twenty-nine of the act of March third, eighteen hundred and seventy-nine (United States Statutes at Large, page three hundred and sixty-two), be, and it is hereby, amended so as to read as follows:

"The provisions of the fifth and sixth section of the act entitled 'An act establishing post-routes, and for other purposes' approved March third, eighteen hundred and seventy-seven, for the transmission of official mail-matter, be, and they are hereby, extended to all officers of the United States Government, not including members of Congress, the envelopes of such matter in all cases to bear appropriate indorsements containing the proper designation of the office from which or officer from whom the same is transmitted, with a statement of the penalty for their misuse. * * * *Provided*, That any Department or officer authorized to use the penalty envelopes may inclose them with return address to any person or persons from or through whom official information is desired, the same to be used only to cover such official information, and indorsements relating thereto: *Provided further*, That any letter or packet to be registered by either of the Executive Departments, or Bureaus thereof, or by the Agricultural Department, * * * may be registered without the payment of any registry fee; and any part-paid letter or packet addressed to either of said Departments or Bureaus may be delivered free; but where there is good reason to believe the omission to prepay the full postage thereon was intentional, such letter or package shall be returned to the sender: *Provided further*, That this act shall not extend or apply to * * * officers who receive a fixed allowance as compensation for their services, including expenses of postages. And section thirty-nine hundred and fifteen of the Revised Statutes of the United States, so far as the same relates to stamps and stamped envelopes for official purposes, is hereby repealed."

Act July 5, 1884, c. 234, s. 3, 23 Stat. 158.

Act March 3, 1877, c. 103, ss. 5, 6, mentioned in this section, are set forth above.

ACT JANUARY 12, 1895, c. 23. (28 Stat. 601.)

Contract for official envelopes for departments, by Postmaster General; business address, etc., thereon forbidden.

SEC. 96. The Postmaster-General shall contract for all envelopes, stamped or otherwise, designed for sale to the public, or for use by his own or other Departments, and may contract for them to be plain or with such printed matter as may be prescribed by the Department making requisition therefor: *Provided*, That no envelope furnished

by the Government shall contain any business address or advertisement.

Act January 12, 1895, c. 23, s. 96, 28 Stat. 624.

ACT JUNE 26, 1906, c. 3546. (34 Stat. 467.)

Contracts for official envelopes for departments, by Postmaster General.

The Postmaster-General is authorized to extend for a period not exceeding six months, the contract for official, registry, and dead-letter envelopes for the postal service for the calendar year ending December thirty-first, nineteen hundred and six; and thereafter the Postmaster-General shall contract, for a period not exceeding four years, for all envelopes, stamped or otherwise, designed * * * for use by the * * * Executive Departments, and all Government bureaus and establishments, and the branches of the service coming under their jurisdiction, and may contract for them to be plain or with such printed matter as may be prescribed by the Department making requisition therefor: * * *.

Act June 26, 1906, c. 3546. 34 Stat. 476.

This is a provision of the postal service appropriation act for the fiscal year 1907, cited above.

ACT MARCH 3, 1883, c. 123. (22 Stat. 531.)

Penalty envelopes for answers to be inclosed in official communications to Members of Congress.

SEC. 2. * * * And it shall be the duty of the respective departments to inclose to Senators, Representatives and Delegates in Congress, in all official communications requiring answers, or to be forwarded to others, penalty envelopes addressed as far as practicable, for forwarding or answering such official correspondence.

Act March 3, 1883, c. 123, s. 2, 22 Stat. 563.

This is a provision of the legislative, executive, and judicial appropriation act for the fiscal year 1884, cited above.

The portion of this section omitted here, authorizing the heads of departments to make requisitions on the Postmaster General for official postage stamps, is superseded by act July 5, 1884, c. 234, s. 3, set forth above, amending act March 3, 1879, c. 180, s. 29.

ACT MARCH 1, 1899, c. 327. (30 Stat. 959.)

Franking privilege extended to Hawaiian Islands.

The franking privilege, as the same is regulated by law, shall extend to the Hawaiian Islands.

Act March 1, 1899, c. 327, s. 4, 30 Stat. 966.

This is a provision of the postal service appropriation act for the fiscal year 1900, cited above.

ACT JUNE 26, 1906, c. 3546. (34 Stat. 467.)

Matter admitted to mails under penalty privilege restricted to matter admissible on payment of postage.

That hereafter no article, package, or other matter, except postage stamps, stamped envelopes, newspaper wrappers, postal cards, and internal-revenue stamps, shall be admitted to the mails under a penalty privilege, unless such article, package, or other matter, except postage stamps, stamped envelopes, newspaper wrappers, postal cards,

and internal-revenue stamps would be entitled to admission to the mails under laws requiring payment of postage.

Act June 26, 1906, c. 3546, 34 Stat. 477.

This is a provision of the postal service appropriation act for the fiscal year 1907, cited above.

Lending or permitting use of frank by or for any committee, organization or association, unlawful.

That hereafter it shall be unlawful for any person entitled under the law to the use of a frank to lend said frank or permit its use by any committee, organization, or association, or permit its use by any person for the benefit or use of any committee, organization, or association: * * *

Act June 26, 1906, c. 3546, 34 Stat. 477.

This is a further provision of the postal service appropriation act for the fiscal year 1907, cited above.

ACT JUNE 8, 1896, c. 370. An act to regulate mail matter of the fourth class. (29 Stat. 262.)

Nonmailable matter; limit on weight.

That mailable matter of the fourth class shall embrace all matter not embraced in the first, second, or third class which is not in its form or nature liable to destroy, deface, or otherwise damage the contents of the mail bag or harm the person of anyone engaged in the postal service, and is not above the weight provided by law, which is hereby declared to be not exceeding four pounds for each package thereof, except in case of single books weighing in excess of that amount, and except for books and documents published or circulated by order of Congress, or printed or written official matter emanating from any of the Departments of the Government * * *

Act June 8, 1896, c. 370, 29 Stat. 262.

This provision is superseded by act August 24, 1912, c. 389, s. 8, set forth below.

ACT AUGUST 24, 1912, c. 389. (37 Stat. 539.)

Limit on weight and size; nonmailable matter.

SEC. 8. That hereafter fourth-class mail matter shall embrace all other matter, including farm and factory products, not now embraced by law in either the first, second, or third class, not exceeding eleven pounds in weight, nor greater in size than seventy-two inches in length and girth combined, nor in form or kind likely to injure the person of any postal employee or damage the mail equipment or other mail matter and not of a character perishable within a period reasonably required for transportation and delivery.

Act August 24, 1912, c. 389, s. 8, 37 Stat. 557.

This section is a part of the postal service appropriation act for the fiscal year 1913, cited above.

TELEGRAPHS.

ACT FEBRUARY 4, 1874, c. 22. An act in relation to the lines of telegraph connecting the Capitol with the various Departments of the Government. (18 Stat. 14.)

Telegraph lines connecting public buildings in Washington; supervision; operation.

That the lines of telegraph, connecting the Capitol with the various Departments in Washington, constructed under and by virtue of the

act of Congress approved March third, eighteen hundred and seventy-three, entitled "An act making appropriations for sundry civil expenses of the Government for the fiscal year ending June thirtieth, eighteen hundred and seventy-four, and for other purposes," be, and the same are hereby, placed under the supervision of the officer in charge of the public buildings and grounds; and that the said officer be authorized and empowered to make rules and regulations for the working of said lines. And the Secretary or the Head of each Executive Department, and the Congressional Printer, are hereby authorized to detail one person from their present force of employees to operate the instruments in said Departments and printing office, * * *.

Act February 4, 1874, c. 22, 18 Stat. 14.

Act March 3, 1873, c. 227, 17 Stat. 519, mentioned in this act, makes an appropriation "for connecting the capitol by telegraph, to be used solely for public business, with all the departments of the government and the government printing office in the city of Washington."

ACT MARCH 7, 1874, c. 50. (18 Stat. 20.)

Use of telegraph lines connecting public buildings in Washington restricted to public business.

* * * That said lines of telegraph shall be for the use only of Senators, Members of Congress, Judges of the United States courts and officers of Congress and of the Executive Departments, and solely on public business.

Act March 7, 1874, c. 50, 18 Stat. 20.

The telegraph lines referred to are those mentioned in act February 4, 1874, c. 22, and note thereunder set forth above.

REV. ST. SEC. 5266.

Government to have priority in transmission of messages over telegraph lines on public domain.

SEC. 5266. Telegrams between the several Departments of the Government and their officers and agents, in their transmission over the lines of any telegraph company to which has been given the right of way, timber, or station lands from the public domain shall have priority over all other business, at such rates as the Postmaster-General shall annually fix. And no part of any appropriation for the several Departments of the Government shall be paid to any company which neglects or refuses to transmit such telegrams in accordance with the provisions of this section.

REV. ST. SEC. 5269.

Refusal to transmit Government telegraphic communications; penalty.

SEC. 5269. Whenever any telegraph company, after having filed its written acceptance with the Postmaster-General of the restrictions and obligations required by the act approved July twenty-fourth, eighteen hundred and sixty-six, entitled "An act to aid in the construction of telegraph lines, and to secure to the Government the use of the same for postal, military, and other purposes," or by this Title, shall, by its agents or employés, refuse or neglect to transmit any such telegraphic communications as are provided for by the aforesaid act,

or by this Title, or by the provisions of section two hundred and twenty-one, Title "THE DEPARTMENT OF WAR," authorizing the Secretary of War to provide for taking meteorological observations at the military stations and other points of the interior of the continent, and for giving notice on the northern lakes and sea-board of the approach and force of storms, such telegraph company shall be liable to a penalty of not less than one hundred dollars and not more than one thousand dollars for each such refusal or neglect. To be recovered by an action or actions at law in any district court of the United States.

Rev. St. sec. 5269, as amended by act February 27, 1877, c. 69, 19 Stat. 252.

The provisions of act July 24, 1866, c. 230, referred to in this section are incorporated in Rev. St. secs. 5263-5268. Rev. St. secs. 5263-5265, 5267, 5268, are set forth on pp. 144, 145, *ante*, under "Forest Service."

The filing by telegraph companies of their written acceptance of the restrictions and obligations under the law, is required by Rev. St. sec. 5268.

Rev. St. sec. 221, mentioned in this section, is set forth on p. 35, *ante*, under "Weather Bureau."

ACT MARCH 3, 1883, c. 143. (22 Stat. 603.)

Receipts from private telegrams transmitted over Government lines.

* * * That on and after the first day of July, eighteen hundred and eighty-three, all moneys received for the transmission of private dispatches over any and all telegraph lines owned or operated by the United States, shall be paid into the Treasury of the United States, as required by section thirty-six hundred and seventeen of the Revised Statutes; and all acts or parts of acts inconsistent herewith are hereby repealed.

Act March 3, 1883, c. 143, 22 Stat. 616.

This is a proviso annexed to an appropriation for maintenance and repair of telegraph lines, in the sundry civil appropriation act for the fiscal year 1884, cited above.

Rev. St. sec. 3617, mentioned in this provision, is set forth on p. 334, *ante*, under "Public Moneys and Accounting."

ACT MARCH 4, 1909, c. 321. (35 Stat. 1088.)

Injury to United States telegraph, etc., lines; punishment.

SEC. 60. Whoever shall willfully or maliciously injure or destroy any of the works, property, or material of any telegraph, telephone, or cable line, or system, operated or controlled by the United States, whether constructed or in process of construction, or shall willfully or maliciously interfere in any way with the working or use of any such line, or system, or shall willfully or maliciously obstruct, hinder, or delay the transmission of any communication over any such line, or system, shall be fined not more than one thousand dollars, or imprisoned not more than three years, or both.

Act March 4, 1909, c. 321, s. 60, 35 Stat. 1099.

This is a section of "An act to codify, revise, and amend the penal laws of the United States," cited above, incorporating therein the provisions of act June 23, 1874, c. 461, which act is expressly repealed by section 341 of this act.

LEGAL SERVICES AND CLAIMS.

REV. ST. SEC. 189.

Employment of attorneys or counsel.

SEC. 189. No head of a Department shall employ attorneys or counsel at the expense of the United States; but when in need of counsel or advice, shall call upon the Department of Justice, the officers of which shall attend to the same.

REV. ST. SEC. 356.

Opinion of Attorney General upon questions of law arising in departments.

SEC. 356. The head of any Executive Department may require the opinion of the Attorney-General on any questions of law arising in the administration of his Department.

REV. ST. SEC. 361.

Officers of Department of Justice to perform all legal services required by other departments.

SEC. 361. The officers of the Department of Justice, under the direction of the Attorney-General, shall give all opinions and render all services requiring the skill of persons learned in the law necessary to enable the President and heads of all Departments, and the heads of Bureaus and other officers in the Departments, to discharge their respective duties; and shall, on behalf of the United States, procure the proper evidence for, and conduct, prosecute, or defend all suits and proceedings in the Supreme Court and in the Court of Claims, in which the United States, or any officer thereof, as such officer, is a party or may be interested; and no fees shall be allowed or paid to any other attorney or counselor at law for any service herein required of the officers of the Department of Justice, except in the cases provided by section three hundred and sixty-three.

REV. ST. SEC. 365.

Counsel fees restricted.

SEC. 365. No compensation shall hereafter be allowed to any person, besides the respective district attorneys and assistant district attorneys for services as an attorney or counselor to the United States, or to any branch or Department of the Government thereof, except in cases specially authorized by law, and then only on the certificate of the Attorney-General that such services were actually rendered, and that the same could not be performed by the Attorney-General, or Solicitor-General, or the officers of the Department of Justice, or by the district attorneys.

REV. ST. SEC. 355.

Title to land to be purchased by United States.

SEC. 355. No public money shall be expended upon any site or land purchased by the United States for the purposes of erecting thereon any * * * public building, of any kind whatever, until the written opinion of the Attorney-General shall be had in favor of the validity of the title, nor until the consent of the legislature of the State in which the land or site may be, to such purchase, has been given. The district attorneys of the United States, upon the application of the Attorney-General, shall furnish any assistance or informa-

tion in their power in relation to the titles of the public property lying within their respective districts. And the Secretaries of the Departments, upon the application of the Attorney-General, shall procure any additional evidence of title which he may deem necessary, and which may not be in the possession of the officers of the Government, and the expense of procuring it shall be paid out of the appropriations made for the contingencies of the Departments respectively.

ACT MARCH 2, 1889, c. 411. (25 Stat. 939.)

Legal services to be rendered by United States attorneys; abstracts of title to be furnished by grantors.

That hereafter all legal services connected with the procurement of titles to site for public buildings * * * shall be rendered by United States district attorneys: *Provided further*, That hereafter, in the procurement of sites for such public buildings, it shall be the duty of the Attorney-General to require of the grantors in each case to furnish, free of all expenses to the Government, all requisite abstracts, official certifications, and evidences of title that the Attorney-General may deem necessary.

Act March 2, 1889, c. 411, s. 1, 25 Stat. 941.

This is a provision of the sundry civil appropriation act for the fiscal year 1890, cited above.

REV. ST. SEC. 184.

Subpœna for witnesses in claims pending in departments.

SEC. 184. Any head of a Department or Bureau in which a claim against the United States is properly pending may apply to any judge or clerk of any court of the United States, in any State, District, or Territory, to issue a subpœna for a witness being within the jurisdiction of such court, to appear at a time and place in the subpœna stated, before any officer authorized to take depositions to be used in the courts of the United States, there to give full and true answers to such written interrogatories and cross-interrogatories as may be submitted with the application, or to be orally examined and cross-examined upon the subject of such claim.

REV. ST. SEC. 187.

Professional services in claims pending in departments.

SEC. 187. Whenever any head of a Department or Bureau having made application pursuant to section one hundred and eighty-four, for a subpœna to procure the attendance of a witness to be examined, is of opinion that the interests of the United States require the attendance of counsel at the examination, or require legal investigation of any claim pending in his Department or Bureau, he shall give notice thereof to the Attorney-General, and of all facts necessary to enable the Attorney-General to furnish proper professional service in attending such examination, or making such investigation, and it shall be the duty of the Attorney-General to provide for such service.

REV. ST. SEC. 364.

Services of counsel in examination of witnesses in claims pending in departments.

SEC. 364. Whenever the head of a Department or Bureau gives the Attorney-General due notice that the interests of the United States

require the service of counsel upon the examination of witnesses touching any claim, or upon the legal investigation of any claim, pending in such Department or Bureau, the Attorney-General shall provide for such service.

REV. ST. SEC. 188.

Evidence to be furnished by departments in suits pending in Court of Claims.

SEC. 188. In all suits brought against the United States in the Court of Claims founded upon any contract, agreement, or transaction with any Department, or any Bureau, officer, or agent of a Department, or where the matter or thing on which the claim is based has been passed upon and decided by any Department, Bureau, or officer authorized to adjust it, the Attorney-General shall transmit to such Department, Bureau, or officer, a printed copy of the petition filed by the claimant, with a request that the Department, Bureau, or officer, shall furnish to the Attorney-General all facts, circumstances, and evidence touching the claim in the possession or knowledge of the Department, Bureau, or officer. Such Department, Bureau, or officer shall, without delay, and within a reasonable time, furnish the Attorney-General with a full statement, in writing, of all such facts, information, and proofs. The statement shall contain a reference to or description of all such official documents or papers, if any, as may furnish proof of facts referred to in it, or may be necessary and proper for the defense of the United States against the claim, mentioning the Department, office, or place where the same is kept or may be procured. If the claim has been passed upon and decided by the Department, Bureau, or officer, the statement shall succinctly state the reasons and principles upon which such decision was based. In all cases where such decision was founded upon any act of Congress, or upon any section or clause of such act, the same shall be cited specifically; and if any previous interpretation or construction has been given to such act, section, or clause by the Department, Bureau, or officer, the same shall be set forth succinctly in the statement, and a copy of the opinion filed, if any, shall be annexed to it. Where any decision in the case has been based upon any regulation of a Department, or where such regulation has, in the opinion of the Department, Bureau, or officer transmitting such statement, any bearing upon the claim in suit, the same shall be distinctly quoted at length in the statement. But where more than one case, or a class of cases, is pending, the defense to which rests upon the same facts, circumstances, and proofs, the Department, Bureau, or officer shall only be required to certify and transmit one statement of the same, and such statement shall be held to apply to all such cases, as if made out, certified, and transmitted in each case respectively.

ACT MARCH 3, 1911, c. 231. (36 Stat. 1087.)

Jurisdiction of Court of Claims; claims founded upon any law or any department regulation; set-offs.

SEC. 145. The Court of Claims shall have jurisdiction to hear and determine the following matters:

First. All claims * * * founded upon the Constitution of the United States or any law of Congress, upon any regulation of an Executive Department, upon any contract, express or implied, with

the Government of the United States, or for damages, liquidated or unliquidated, in cases not sounding in tort, in respect to which claims the party would be entitled to redress against the United States either in a court of law, equity, or admiralty if the United States were suable: * * *

Second. All set-offs, counterclaims, claims for damages, whether liquidated or unliquidated, or other demands whatsoever on the part of the Government of the United States against any claimant against the Government in said court: *Provided*, That no suit against the Government of the United States, brought by any officer of the United States to recover fees for services alleged to have been performed for the United States, shall be allowed under this chapter until an account for said fees shall have been rendered and finally acted upon as required by law, unless the proper accounting officer of the Treasury fails to act finally thereon within six months after the account is received in said office.

Act March 3, 1911, c. 231, s. 145, 36 Stat. 1136.

This section incorporates therein the provisions of Rev. St. sec. 1059 and section 1, act March 3, 1887, c. 359, 24 Stat. 505. Said Rev. St. sec. 1059 and section 1 are expressly repealed by section 297 of this act.

Judgments for set-offs or counterclaims.

SEC. 146. Upon the trial of any cause in which any set-off, counterclaim, claim for damages, or other demand is set up on the part of the Government against any person making claim against the Government in said court, the court shall hear and determine such claim or demand both for and against the Government and claimant; and if upon the whole case it finds that the claimant is indebted to the Government it shall render judgment to that effect, and such judgment shall be final, with the right of appeal, as in other cases provided by law. * * *

Act March 3, 1911, c. 231, s. 146, 36 Stat. 1137.

This section incorporates therein the provisions of Rev. St. sec. 1061, which section is expressly repealed by section 297 of this act.

Claims referred by departments.

SEC. 148. When any claim or matter is pending in any of the executive departments which involves controverted questions of fact or law, the head of such department may transmit the same, with the vouchers, papers, documents and proofs pertaining thereto, to the Court of Claims and the same shall be there proceeded in under such rules as the court may adopt. When the facts and conclusions of law shall have been found, the court shall report its findings to the department by which it was transmitted for its guidance and action: *Provided, however*, That if it shall have been transmitted with the consent of the claimant, or if it shall appear to the satisfaction of the court upon the facts established, that under existing laws or the provisions of this chapter it has jurisdiction to render judgment or decree thereon, it shall proceed to do so, in the latter case giving to either party such further opportunity for hearing as in its judgment justice shall require, and shall report its findings therein to the department by which the same was referred to said court. * * *

Act March 3, 1911, c. 231, s. 148, 36 Stat. 1137.

This section incorporates therein the provisions of Rev. St. sec. 1063 and section 12, act March 3, 1887, c. 359, 24 Stat. 507. Said Rev. St. sec. 1063 and section 12 are expressly repealed by section 297 of this act.

Procedure in cases transmitted by departments.

SEC. 149. All cases transmitted by the head of any department, * * * according to the provisions of the preceding section, shall be proceeded in as other cases pending in the Court of Claims, and shall, in all respects, be subject to the same rules and regulations.

Act March 3, 1911, c. 231, s. 149, 36 Stat. 1138.

This section incorporates therein the provisions of Rev. St. sec. 1064, which section is expressly repealed by section 297 of this act.

Judgments in cases transmitted by departments; payment.

SEC. 150. The amount of any final judgment or decree rendered in favor of the claimant, in any case transmitted to the Court of Claims under the two preceding sections, shall be paid out of any specific appropriation applicable to the case, if any there be; and where no such appropriation exists, the judgment or decree shall be paid in the same manner as other judgments of the said court.

Act March 3, 1911, c. 231, s. 150, 36 Stat. 1138.

This section incorporates therein the provisions of Rev. St. sec. 1065, which section is expressly repealed by section 297 of this act.

Power to call upon departments for information.

SEC. 164. The said court shall have power to call upon any of the departments for any information or papers it may deem necessary, * * *. But the head of any department may refuse and omit to comply with any call for information or papers when, in his opinion, such compliance would be injurious to the public interest.

Act March 3, 1911, c. 231, s. 164, 36 Stat. 1140.

This section incorporates therein the provisions of Rev. St. sec. 1076, which section is expressly repealed by section 297 of this act.

Claims forfeited for fraud.

SEC. 172. Any person who corruptly practices or attempts to practice any fraud against the United States in the proof, statement, establishment, or allowance of any claim or of any part of any claim against the United States shall, ipso facto, forfeit the same to the Government; and it shall be the duty of the Court of Claims, in such cases, to find specifically that such fraud was practiced or attempted to be practiced, and thereupon to give judgment that such claim is forfeited to the Government, and that the claimant be forever barred from prosecuting the same.

Act March 3, 1911, c. 231, s. 172, 36 Stat. 1141.

This section incorporates therein the provisions of Rev. St. sec. 1086, which section is expressly repealed by section 297 of this act.

Disallowance of fraudulent claims for more than is justly due, or on false evidence.

SEC. 173. No claim shall be allowed by the accounting officers * * * or by the Court of Claims, or by Congress, to any person where such claimant, or those under whom he claims, shall willfully, knowingly, and with intent to defraud the United States, have claimed more than is justly due in respect of such claim, or presented any false evidence to Congress, or to any department or court, in support thereof.

Act March 3, 1911, c. 231, s. 173, 36 Stat. 1141.

This section incorporates therein the provisions of section 2, act April 30, 1878, c. 77, 20 Stat. 524.

Debtors to United States; adjustment of indebtedness.

SEC. 180. Whenever any person shall present his petition to the Court of Claims alleging that he is or has been indebted to the United States as an officer or agent thereof, or by virtue of any contract therewith, or that he is the guarantor, or surety, or personal representative of any officer or agent or contractor so indebted, or that he or the person for whom he is such surety, guarantor, or personal representative has held any office or agency under the United States, or entered into any contract therewith, under which it may be or has been claimed that an indebtedness to the United States had arisen and exists, and that he or the person he represents has applied to the proper department of the Government requesting that the account of such office, agency, or indebtedness may be adjusted and settled, and that three years have elapsed from the date of such application, and said account still remains unsettled and unadjusted, and that no suit upon the same has been brought by the United States, said court shall, due notice first being given to the head of said department and to the Attorney General of the United States, proceed to hear the parties and to ascertain the amount, if any, due the United States on said account. The Attorney General shall represent the United States at the hearing of said cause. * * *

Act March 3, 1911, c. 231, s. 180, 36 Stat. 1141.

This section incorporates therein the provisions of section 3, act March 3, 1887, c. 359, 24 Stat. 505, which section is expressly repealed by section 297 of this act.

Attorney General to appear for defense.

SEC. 185. The Attorney-General, or his assistants under his direction, shall appear for the defense and protection of the interests of the United States in all cases which may be transmitted to the Court of Claims under the provisions of this chapter, with the same power to interpose counter claims, offsets, defenses for fraud practiced or attempted to be practiced by claimants, and other defenses, in like manner as he is required to defend the United States in said court.

Act March 3, 1911, c. 231, s. 185, 36 Stat. 1142.

This section incorporates therein the provisions of section 5, act March 3, 1883, c. 116, 22 Stat. 486, which section is expressly repealed by section 297 of this act.

ACT FEBRUARY 8, 1899, c. 121. An act to prevent the abatement of certain actions. (30 Stat. 822.)

Suits against officers of United States not abated by death, expiration of term, etc.

That no suit, action, or other proceeding lawfully commenced by or against the head of any Department or Bureau or other officer of the United States in his official capacity, or in relation to the discharge of his official duties, shall abate by reason of his death, or the expiration of his term of office, or his retirement, or resignation, or removal from office, but, in such event, the Court, on motion or supplemental petition filed, at any time within twelve months thereafter, showing a necessity for the survival thereof to obtain a settlement of the questions involved, may allow the same to be maintained by or against his successor in office, and the Court may make such order as shall be equitable for the payment of costs.

Act February 8, 1899, c. 121, 30 Stat. 822.

CITATIONS TO AGRICULTURAL
APPROPRIATION ACTS.

CITATIONS TO AGRICULTURAL APPROPRIATION ACTS.

Act June 16, 1880, c. 252, 21 Stat. 292.
Act March 3, 1881, c. 129, 21 Stat. 381.
Act May 19, 1882, c. 171, 22 Stat. 89.
Act January 20, 1883, c. 36, 22 Stat. 408.
Act June 5, 1884, c. 71, 23 Stat. 36.
Act March 3, 1885, c. 338, 23 Stat. 353.
Act June 30, 1886, c. 575, 24 Stat. 100.
Act March 3, 1887, c. 351, 24 Stat. 495.
Act July 18, 1888, c. 677, 25 Stat. 328.
Act March 2, 1889, c. 373, 25 Stat. 835.
Act July 14, 1890, c. 707, 26 Stat. 282.
Act March 3, 1891, c. 544, 26 Stat. 1044.
Act July 5, 1892, c. 147, 27 Stat. 74.
Act March 3, 1893, c. 214, 27 Stat. 734.
Act August 8, 1894, c. 238, 28 Stat. 264.
Act March 2, 1895, c. 169, 28 Stat. 727.
Act April 25, 1896, c. 140, 29 Stat. 99.
Act April 23, 1897, c. 1, 30 Stat. 1.
Act March 22, 1898, c. 85, 30 Stat. 330.
Act March 1, 1899, c. 325, 30 Stat. 947.
Act May 25, 1900, c. 555, 31 Stat. 191.
Act March 2, 1901, c. 805, 31 Stat. 922.
Act June 3, 1902, c. 985, 32 Stat. 286.
Act March 3, 1903, c. 1008, 32 Stat. 1147.
Act April 23, 1904, c. 1486, 33 Stat. 276.
Act March 3, 1905, c. 1405, 33 Stat. 861.
Act June 30, 1906, c. 3913, 34 Stat. 669.
Act March 4, 1907, c. 2907, 34 Stat. 1256.
Act May 23, 1908, c. 192, 35 Stat. 251.
Act March 4, 1909, c. 301, 35 Stat. 1039.
Act May 26, 1910, c. 256, 36 Stat. 416.
Act March 4, 1911, c. 238, 36 Stat. 1235.
Act August 10, 1912, c. 284, 37 Stat. 269.

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